

Letters from Other Organizations

CARGILL SALT DIVISION

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July 16, 1996

Ms. Karen Mason
c/o U.S. Environmental Protection Agency
Region 9 (W-3-3)
75 Hawthorne Street
San Francisco, CA 94105-3901

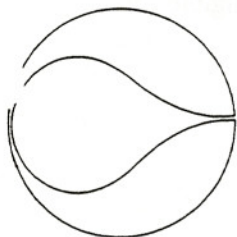
Subject: Comments on LTMS draft
Cargill Salt Files: 500.000:7 and 2000.013:13

Dear Ms. Mason:

As you know, the Cargill facilities in Napa were recognized early in studies carried out by the Long Term Management Study task force as valuable sites for Upland/Wetland Reuse projects. This was evidenced by the selection of two Cargill Napa sites for the conceptual implementation plan published in 1993. Additionally, a December 1992 study addressing engineering considerations of three Upland/Wetland Reuse sites included the Cargill Napa East site. The study confirmed that the Cargill Napa East site, already designated as a "highly feasible" location for upland reuse, is a practical and valuable resource for the implementation of LTMS recommendations.

The salt ponds west of the Napa River were transferred by sale and donation to the California Department of Fish and Game in 1994 and therefore, we will not comment on disposal options involving those ponds. Our remaining property, termed the Napa East site in your studies is a salt plant facility with the types of crystallizer beds and infrastructure associated with salt production facilities.

One of the features of the Cargill Napa East site which was recognized as advantageous for reuse and containment operations is the depth of the adjacent Napa River Channel. The -15 ft MLLW channel depth will allow fully loaded scows to be loaded or unloaded. Comparable sites will accommodate only partially loaded scows. Access is augmented by adequate roads and a local rail line which connects to Southern Pacific rail lines.



Another feature of the Napa site is the existing crystallizer bed and levee system dividing the site into multiple sections, which would facilitate spoil dewatering and could be incorporated into the design of the facility. The completed facility could have a capacity of up to 3.2 million cys, making it one of the largest placement sites currently designated as "highly feasible." A 1992 LTMS report indicated that the Cargill Napa East site could accommodate 30% of average annual in-Bay maintenance disposal quantity.

The Napa site also offers versatility in that it is logistically and economically viable for processing dredged material from both large and small scale projects. Because the site can accommodate both a hydraulic unloader and a land-based or waterborne clamshell dredge for unloading, high mobilization costs can be avoided when dealing with small volume projects.

In reviewing the various studies, it became obvious that the distinct differences and advantages of the site have been clouded by an inappropriate and inaccurate jurisdictional finding by the San Francisco District Office of the U.S. Army Corps of Engineers. This finding, if sustained, would require mitigation costs for the entire property to be factored into any future feasibility study, thereby undermining the competitive advantages of this site. Previous site investigations by independent Corps consultants found minimal areas (less than 1%) to be wetlands. We realize that it is not the role of the LTMS task force to adjudicate jurisdictional issues; rather we would ask the LTMS to focus on what, if any, habitat values are present at the plant and to consider the valuable interim and ultimate uses of the property. We believe the site to be suitable as a dredge disposal site that could evolve into a restored wetland or other open space use at the end of its usable life as a disposal site.

A detailed reconnaissance study of the Leonard Ranch was conducted during the course of this process and we would suggest that Cargill's Napa Plant be studied with the same rigor. We are certain the advantages of the Napa site will become apparent. The staff at Cargill would be happy to assist in such a study.

We submit that the clearly identified advantages of the Cargill Plant site necessitate careful consideration of its role in the Long Term Management Strategy. The Cargill Napa site offers the potential of feasible upland reuse and is therefore pertinent to each of the three alternatives developed in the LTMS draft. In particular, Alternatives 2 and 3 emphasize beneficial reuse of dredged material. Should either of these strategies be implemented, conceptual level projects will likely be considered for further project planning. This site could save significant costs to federal and local sponsors of dredging projects eligible for

Ms. Karen Mason

July 16, 1996

Page 3

upland disposal. I encourage you to include the Cargill Napa East site in these deliberations.

↑
3

If you have any questions, please feel free to contact me at (510) 790-8156 or Paul Shepherd at (510) 790-8155.

Very truly yours,

Robert C. Douglass

Robert C. Douglass
Manager, Real Property

Responses to Cargill — Cargill Salt Division, letter dated July 16, 1996

1. Statement noted. Please see the response below to Cargill comment 2.
2. Statement noted. The LTMS agencies will consider how the present and potential values of this site can serve to further LTMS efforts.
3. Statement noted.



Central Labor Council of Alameda County

AFL-CIO



7992 CAPWELL DRIVE

OAKLAND, CALIFORNIA 94621

Telephone (510) 632-4242

RICHARD K. GROULX,
*Executive Secretary-Treasurer
Emeritus*

June 21, 1996

JUDITH M. GOFF,
President

OWEN A. MARRON,
Executive Secretary-Treasurer

Ms. Karen Mason
LTMS EIS Coordinator
c/o US Environmental Protection Agency
Region 9
75 Hawthorne Street (W-3-3)
San Francisco, CA 94105-3901

Dear Ms. Mason:

Please find enclosed a written copy of comments regarding the LTMS (EIS/EIR). They were presented at the public meeting on June 20, 1996 in Oakland, California.

Very truly yours,

Owen A. Marron
Executive Secretary-Treasurer

Judy Goff
President

OAM/JG/mc
open: 29 afl-cio
Mason

Central Labor Council of Alameda County

AFL-CIO

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RICHARD K. GROULX,
*Executive Secretary-Treasurer
Emeritus*

TESTIMONY
June 20, 1996
Oakland, California

JUDITH M. GOFF,
President

OWEN A. MARRON,
Executive Secretary-Treasurer

TO: US Environmental Protection Agency and
California State Water Resources Control Board

FROM: James Herman, Chair BDAC, Commissioner Port of San Francisco
Owen A. Marron, Executive Secretary Treasurer
Central Labor Council of Alameda County, AFL-CIO
Presented by Judy Goff, President

RE: Long Term Management Strategy

The Central Labor Council has been an advocate for beneficial reuse of dredged material for over six years. The political coalition represented by the Bay Dredging Action Coalition was

instrumental in obtaining Corps approval and Federal and State funding for Sonoma Baylands.

We were also instrumental in convincing the Port of Oakland and the Corps of Engineers to pursue ocean disposal and wetland creation for the 42 foot project rather than attempt to place the material in the Bay Farm Island Borrow Pit. Our coalition recognizes that there are no inherent conflicts between economic development and environmental preservation and enhancement. We remain committed to creative partnerships that will continue to develop projects that will fulfill both economic and environmental objectives, and look forward to completion of the LTMS to

1 | establish a clear set of objectives that will allow such projects to be developed. We hope that the LTMS will give members of our coalition a clear agenda of steps that must be taken to increase the number of disposal options and make habitat disposal options more feasible.

While we are committed to disposal options that are environmentally sound, we are also concerned that the Port industry in the Bay Area must successfully make a transition from present disposal practices to beneficial use disposal. Further, at the end of the day, the shipping

2 | industry must still be viable in the Bay Area. For those reasons, we are concerned about the policies in the EIR/EIS that would reduce in-Bay disposal of dredged material. The document needs to make it clear that in-Bay disposal will not be eliminated as an option for disposal of

Testimony, June 20, 1996

US Environmental Protection Agency and
California State Water Resources Control Board

RE: Long Term Management Strategy

maintenance dredged material unless feasible alternatives are available, and unless alternative disposal methods would not impair the competitive positions of the Bay Area's ports or the viability of the recreational marinas. We think that the best way that this could be done is to develop a management plan for the LTMS before you finalize the EIR/EIS. We would be happy to lend our support in an effort to secure cost sharing and other funding to try to make sure that alternative disposal methods are feasible and that the Bay Area's shipping industry remains the vital economic force that it is today.

OAM:pd
opeiu 29
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owen/testimony620

Responses to CLC — Central Labor Council of Alameda County, letter dated June 21, 1996

1. Chapter 7 discusses actions the LTMS agencies (and other entities) may take to make beneficial reuse projects, including habitat restoration projects, more feasible in the long term. The upcoming Draft LTMS Management Plan, which will undergo public review and comment, will provide additional detail about the initial actions to implement the preferred alternative.

2. Section 6.5 describes in-Bay disposal volume limitations, and generally how in-Bay disposal will be allocated. Although overall allowable in-Bay disposal will be substantially reduced over time, it will not be eliminated entirely. Even after the transition period, in-Bay disposal sites will remain available for 1 to 2 million cubic yards of dredged material from maintenance dredging projects for which alternative disposal methods are not practicable. The LTMS does not guarantee that there will be no effect on competition among ports; however, the same environmental regulations and the same standards of practicability are applied by the federal agencies to all ports and dredging projects on the west coast (and nationwide). Any potential differential effect of meeting those regulations and standards, therefore, is specific to the individual port and is not due solely to the regulatory requirements. Please see the response to Benicia comment 2 and Foster City comment 5. The LTMS agencies intend to release the draft Management Plan during the public comment period for the Final EIS/EIR and to involve the public in its development through public workshops and a comment period.



Chevron

July 18, 1996

Chevron Products Company
Richmond Refinery
P. O. Box 1272
Richmond, CA 94802-0272

C. L. McIntosh
Manager
Environmental and Safety Division

LTMS EIS/EIR Coordinator
c/o U.S. Environmental Protection Agency
Region 9 (W-3-3)
75 Hawthorne Street
San Francisco, CA 94947

Comments on the Long Term Management Strategy for the Placement of Dredged Material in San Francisco Bay Region, Draft Policy Environmental Impact Statement/Programmatic Environmental Impact Report

Dear LTMS EIS/EIR Coordinator:

The purpose of this letter is to provide comments on the Long Term Management Strategy (LTMS) for the Placement of Dredged Material in the San Francisco Bay Region, Draft Policy Environmental Impact Statement/Programmatic Environmental Impact Report (DEIS/EIR). Chevron supports the LTMS program objectives to develop technically feasible, economically prudent and environmentally acceptable solutions to the dredging and disposal needs in the San Francisco Bay. However, we believe that the guiding "policies" under evaluation in the DEIR/EIS will result in the mandated use of upland/wetland reuse sites that are neither economically practicable nor environmentally superior to existing in-Bay disposal sites. | 1

There are a number of concerns we have on the adequacy of the DEIS/EIR. Key concerns are listed below with discussions attached.

- 1) The draft does not demonstrate that the existing disposal policy or proposed alternatives have significant impacts on the environment or that the existing in-Bay disposal practices require mitigation.
- 2) The LTMS agencies' preferred policy, Alternative 1 transitioning to Alternative 3, may lead to a decrease in dredging at the Richmond Long Wharf, resulting in an increase in vessel traffic. These impacts are not addressed in the draft.

July 18, 1996


- 3) Omissions in the dredging data raise concerns on the quality of data used for the economic assessments.
- 4) The draft does not meet the requirements of the National Environmental Policy Act (NEPA) or California Environmental Quality Act (CEQA).

1a

We are also concerned about how disposal site selections will be made by the LTMS agencies as a result of a change in dredge material management policies, e.g. which dredgers may have access to the in-Bay disposal sites and based on what specific criteria? As such, we recommend that the LTMS agencies not finalize the DEIS/EIR until a Management Plan has been developed, including public review and comment. This will assist us and others in accurately assessing the specific impacts a shift in management policy will have on the dredging related community.

Finally we urge the LTMS agencies to continue to develop and maintain a variety of economically practicable and environmentally acceptable disposal sites, including in-Bay sites, and to make these sites available to all dredgers. If you have any questions, please feel free to call Mr. Jason Donchin of my staff at (510) 242-3549.

Sincerely,

A handwritten signature in black ink, consisting of the letters 'JHD' followed by a large, stylized oval flourish.

JHD:jhd

Attachment

DISCUSSION

- 1) The draft does not demonstrate that the existing disposal policy or proposed alternatives have significant impacts on the environment or that the existing in-Bay disposal practices require mitigation. 2
- 1-1) The DEIS/EIR does not clearly establish what the existing impacts of in-Bay or ocean disposal are, nor how these impacts are related to the volume (and perhaps timing) of disposal. As such, we are not provided an opportunity to assess and evaluate the necessary data. Nor can we make informed judgments as to the validity of the agencies' preliminary conclusions that upland reuse/disposal is environmentally superior to aquatic disposal. 2a
- 1-2) We understand that the existing Army Corps of Engineer (ACOE) disposal management practices at the Alcatraz disposal site have prevented continued mounding. Yet there is no discussion in the DEIS/EIR of these management practices, presentation of bathymetry data, or whether historical mounding concerns have been mitigated by these actions. We recommend that a section be added to the DEIR/EIS to discuss whether there is an existing problem as is implied by the following statement in the Executive Summary (pg. 1-3); "although sediments dumped at the Alcatraz site were expected to disperse to the ocean, in late 1982 it was discovered that disposal activities had created a large mound at the site. Despite various disposal and site management efforts, mounding at the site persisted and even intensified." (Emphasis added) 2b
- 1-3) Existing sediment testing requirements assure that sediments disposed of in the Bay do not significantly impact the estuary. In addition, the Executive Summary (pg. 1-3) states that "the majority of material dredged from the Estuary is suitable for unconfined aquatic [in-Bay and ocean] disposal." We recommend that a section be added to the DEIS/EIR to discuss sediment testing policies. This section should evaluate whether these practices mitigate historical "concerns regarding the environmental impacts of dredged material disposal on fisheries and other ecological resources on the Estuary." Executive Summary (pg. 1-3) 2c
- 2) The LTMS agencies preferred policy, Alternative 1 transitioning to Alternative 3, may lead to a decrease in dredging at the Richmond Long Wharf resulting in an increase in vessel traffic. These impacts are not addressed in the draft. 3

An average of 240,000 cubic yards are dredged every-other-year at the Chevron Richmond Long Wharf. The only other refinery to dredge in the last 5 years were Exxon, which dredged an average 18,000 cubic yards a year, and Unocal which dredged 55,000 cubic yards

3 in 1991. Increasing dredging costs will disproportionately impact Chevron. As a result the Chevron Richmond Refinery would likely dredge less frequently to minimize these impacts.

Each dredging episode at the Richmond Long Wharf is evaluated as an individual project. Dredging is only conducted when there is clear economic incentive, e.g. the cost savings incurred from the use of deeper draft vessels is greater than the cost for maintenance dredging. As the cost of maintenance dredging increases, dredging frequency would likely decrease and result in an increased number of vessels (either smaller vessels or larger vessels with smaller cargoes) visiting the Richmond Long Wharf. This would increase vessel traffic. It may also result in increased cargo lightering in the Bay which may result in increased hydrocarbon air emissions as well as increased ship combustion emissions within the Bay.

4
3) **Omissions in the dredging data raises concerns on the quality of data used for the economic assessments.**

The economic discussions in the Draft EIS/EIR rely on an estimate of future dredging costs which are dependent on the amount of material to be dredged. However the data in Appendix E (LTMS EIR/EIS Analysis of San Francisco Regional Dredging Estimate, Dredging Project Profiles, and Placement Profiles) includes only 1985-1993 Army Corp of Engineers' dredge records. We recommend that 1994 and 1995 dredging data be included in the DEIR/EIS as the 1985-1993 data over estimates the magnitude of dredging needs in the Bay due to military base closure.

Note that Chevron's 1993 maintenance dredging event has been omitted from the "Dredging Project Profile." Approximately 270,000 cubic yards were dredged at the Chevron Richmond Long Wharf in 1993, and 162,000 cubic yards in 1995.

5
4) **The draft does not meet the requirements of the National Environmental policy Act (NEPA) or California Environmental Quality Act (CEQA).**

5a 4-1) **CEQA and NEPA require an evaluation of impacts and their significance.** The DEIS/EIR states that the alternatives are evaluated in terms of the relative risk of adverse impacts occurring. This appears to be a default methodology because existing scientific information cannot accurately quantify adverse impacts associated with in-Bay disposal. However, the use of risk analysis is a flawed approach under both NEPA and CEQA in the absence of a good faith attempt to identify impacts from dredged material disposal and to gauge their significance.

5b 4-2) **Level(s) of significant impact requiring mitigation measures for either the aquatic or upland disposal environments have not been established.** We believe that a change in existing disposal policy is only warranted if there is clear indication that existing policies create "significant impacts" that can not be mitigated.

Responses to Chevron — Chevron Products Company, Richmond Refinery, letter dated July 18, 1996

1. The "practicability test" in Clean Water Act 404(b)(1) Guidelines (40 CFR Part 230) addresses economic impacts. It ensures that disposal alternatives are economically practicable for specific projects. Project-specific evaluation also recognizes environmental impacts in UWR, ocean, and in-Bay disposal site environments as appropriate. Provided that any impacts associated with developing a specific UWR site are mitigated as appropriate, then the LTMS agencies believe reuse at such sites would be environmentally superior to disposing of the dredged material as a waste.
- 1a. The LTMS agencies have selected Alternative 3 as the preferred alternative and will prepare a draft Management Plan based on this preferred alternative. A discussion describing the initial implementation of Alternative 3 has been added to the Final EIS/EIR (see section 6.5). The LTMS agencies fully intend to involve the public in the review of the prepared Management Plan through public workshops and a public comment period before the Management Plan is finalized.
2. This document has been prepared by the LTMS agencies to evaluate alternative long-term management approaches, and to facilitate public comment regarding the proposed management approaches. The California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) require an environmental review of proposed projects or actions that may significantly affect the quality of the environment. However, selection of a long-term strategy or overall policy approach for managing dredged material is different than evaluating a specific project. This EIS/EIR evaluates a policy and/or program regarding long-term dredge disposal management. Project-specific (e.g., proposed upland disposal sites) reviews and approvals, including NEPA and CEQA compliance as appropriate, will still be necessary regardless of which overall long-term management policy approach is selected through this EIS/EIR. Thus, it is not necessary for this document to demonstrate potential significant impacts for all disposal options and placement sites on a project-specific basis.

Section 2.4.2 explains the need for alternatives to in-Bay placement of dredged materials. Both significant navigational and environmental impacts could be a result of continued emphasis on in-Bay disposal. This fact is well documented in the EIS/EIR and LTMS Technical Studies. Environmental consequences of the proposed alternatives are provided in section 6.2 of the EIS/EIR, and policy-level mitigation measures are provided in Chapter 5. Project-specific significant impacts will be evaluated and mitigation measures will be provided as an aspect of each site's environmental review process.
- 2a. The Draft EIS/EIR does present a "generic analysis" of the generic impacts of the No-Action and the three placement-site alternatives (ocean, in-Bay, upland/wetland reuse) in Chapter 6. The Draft EIS/EIR generally evaluates the alternatives in terms of the relative risk of adverse impacts occurring. Absolute impacts and benefits are discussed where appropriate. However, the degree of actual adverse impacts to Estuary resources that is associated with current volumes of in-Bay dredged material disposal and the other potential levels of disposal represented by the different alternatives, is impossible to accurately quantify with existing scientific information. It was concluded that ocean disposal had few impacts, and that in-Bay disposal can have more impacts but is poorly understood and the impacts are difficult to monitor.

Please also see the response to Benicia comment 5 and NHI comments 17c, 17d, and 17e. The analysis of aquatic disposal is also discussed in the responses to CDWR comment 3b, BayKeeper comment 3, and MAS comment 18ee.
- 2b. The COE monitors the Alcatraz disposal site monthly, and compares the volume of material above the 40-foot contour to the total volume of the site. The 40-foot controlling contour is decreasing in size but the volume of the site is marginally increasing.

The Final EIS/EIR has been expanded to include more information about management parameters and conditions at each of the in-Bay sites.

- 2c. In the Executive Summary of the document, there is a statement that the LTMS came about in part due to "...concerns regarding the environmental impacts of dredged material disposal on fisheries and other ecological resources of the Estuary..." (Draft EIS/EIR page 1-3, 3rd paragraph). The commentator noticed that the Executive Summary also states that "...the majority of material dredged from the Estuary is suitable for unconfined aquatic disposal." The commentator questions whether recent advances in sediment testing and new testing policies have alleviated the earlier concerns.

Since the formation of the LTMS in 1989, several major changes have occurred in sediment testing policies. Those changes — the addition of a solid-phase bioassay and the formation of a regional monitoring program — have undoubtedly added to the knowledge base which, in turn, has given regulatory agencies a stronger foundation upon which to make decisions.

However, scientific advances about certain types of pollutants have brought new questions to light which must be addressed. For example, the results of research into the effects of chlorinated hydrocarbons and pesticides on humans and biota have increased the level of concern for such compounds when they are found in elevated levels. Hence, our testing program must remain flexible and capable of responding to new concerns and issues. Moreover, when compared to our broad objectives, the current testing program is greatly abbreviated in scope due to the need to provide a clear, readily available, and affordable protocol which produces results in a short time, and is therefore feasible. The net result is that sediment testing, indeed most regulatory environmental testing, only addresses several of many possible effects (recorded as test "endpoints"). Specifically, the current base testing program (PN93-2) covers only acute toxicity and development toxicity (abnormality) in two types of invertebrates. The testing program does not, for example, address heavy metals bioavailability, acute effects on vertebrates, or effects at higher trophic levels, including population-level effects or other sub-lethal effects.

Therefore, even though a majority of the dredged sediment was found to be "suitable" for disposal in the Bay according to the current testing program, there is still a concern about the adverse effects of all sediments when they are disposed at dispersive sites in the Bay.

3. If Chevron were to choose to reduce its maintenance dredging frequency at the existing Richmond Long Wharf (allowing increased sedimentation between maintenance dredging episodes), and if the same quantity of product were to still be off loaded at this site, this could mean either increased lightering or more frequent visits of shallower-draft vessels. We agree that such a scenario could potentially result in increased vessel air emissions overall. However, nothing in the policies of the LTMS agencies or in the LTMS preferred alternative would require that the frequency of necessary maintenance dredging must decrease. Rather, the LTMS agencies are adopting a long-term policy that seeks to ensure adequate disposal capacity will be available in multiple disposal environments. Some in-Bay disposal is planned to continue under Alternative 3; however, approval to use in-Bay disposal sites will depend on whether alternatives are practicable for an individual dredging project proponent.
4. The economic analysis in the EIS/EIR is a relative economic analysis to compare the potential differences between the alternatives.

In response to the recommendation that 1994-95 dredging data be included in EIS/EIR, we agree; see the expanded analysis in the Final EIS/EIR.

In response to the comment that Chevron's 1993 maintenance dredging event has been omitted from the Dredging Project Profile, statement noted. However, we took Chevron's 1993 dredging into account in preparing the "transition" discussion in Chapter 6 (section 6.5).

5. Statement noted. However, the LTMS agencies respectfully disagree. The document presents an adequate analysis at a programmatic level for the decisions being made, meeting both NEPA and CEQA requirements (see the responses below to Chevron comments 5a and 5b).

- 5a. Statement noted. However, the LTMS agencies respectfully disagree; see the response to Oakland comment 37.
- 5b. Statement noted. Analysis of the disposal options and their potential impacts will lead to the selection of a disposal management alternative that minimizes and/or avoids the disposal options that have the largest potential impact on the Bay's ecology. Chapter 5 presents policy-level mitigation measures that address potential impacts as a result of disposal alternatives on a broad regional and cumulative level. They are included in this EIS/EIR as a basic aspect of each of the disposal alternatives to help proactively avoid impacts. Adverse impacts on the Bay's ecology will also be avoided by the use of site-specific mitigation measures. Individual environmental impact analyses will need to be conducted on a project specific basis as mandated by both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Both of these Acts require project-specific mitigation measures to avoid or minimize any significant impacts.



July 19, 1996

Ms. Karen Mason
 LTMS Coordinator
 U.S. EPA, Region IX
 75 Hawthorne Street
 San Francisco, CA 94105

Dear Ms. Mason:

On behalf of the Customs Brokers & Forwarders Association of Northern California (CBFANC) and the thousands of Bay Area importers and exporters we serve, I would like to express concern over impact which the LTMS Draft EIS-EIR may have on the Bay Area international trade community and our ability to remain competitive. | 1

I. CBFANC Supports Efforts to Protect the Environment

CBFANC is comprised of Bay Area residents who cherish the Bay and recognize the importance of protecting our region's environment. We share the LTMS committee's interest in mitigating the impact of environmental hazards in the San Francisco Bay and Estuary. However, we strongly believe that any proposed actions must be justified by both environmental and economic analysis. | 2

II. Additional Environmental Analysis is Needed

Upon review of the LTMS Draft EIS-EIR, CBFANC finds that the environmental analysis of the four proposed alternatives (including the "status quo") is lacking, and does not fully address the environmental impacts of both increased ocean and upland disposal. CBFANC would suggest that the LTMS committee present a complete environmental analysis of all proposed alternatives prior to making any recommendation with regard to those alternatives. | 3

III. Economic Analysis is Inadequate

Even if the environmental analysis were adequate to suggest that proposed Alternatives I, II, and III are more "environmentally friendly" than the status quo, the economic impact of the proposed alternatives -- on both the dredging community and Bay Area trade community -- | 4

4 are not fully analyzed. There is no assessment of the competitive disadvantage to which Bay Area importers and exporters will be subjected when increased dredged disposal costs are passed on to them. There is no acknowledgement of the potentially devastating impact on the entire Bay Area economy if dredging costs and restrictions force exporters and importers to shift their cargoes through other ports on the West Coast. (This process has already begun as some of the largest, most efficient ships have begun calling on Long Beach rather than Oakland due to Oakland's difficulty in maintaining adequate channel depth). Should Bay Area manufacturers and distributors relocate closer to other lower cost ports, local forwarders and brokers as well as other service providers, would be forced to follow.

IV. Bay Area Shippers Cannot Afford to Pay Increased Dredging Costs

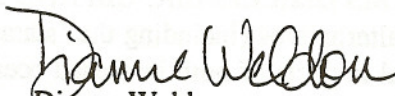
6 Bay Area exports are very price sensitive, particularly agriculture and forest products. In the global economy, there are many competitive sources for these products, and foreign buyers are not dependent upon our local production. We cannot remain competitive if forced to pay for every dredging project in the Bay Area. But this is what will happen if the LTMS moves forward with the draft EIS/EIR recommendations without ensuring that adequate Federal funding is available to help fund Bay Area dredge disposal projects. Bay Area shippers already pay for dredging activities, through the Harbor Maintenance Fee, to maintain federally-authorized deep-draft ports. In fact, every year there is a Harbor Maintenance Trust Fund surplus of approximately \$300 million, which could be used to cover these new disposal costs.

V. Conclusion

6 While protecting the environment is an important effort, the LTMS should proceed with due regard for the prospective impact on the importers and exporters who drive the Bay Area economy. This impact must be fully analyzed before the draft EIS/EIR is finalized and recommendations implemented.

Thank you for your consideration.

Sincerely,



Dianne Weldon
CBFANC Chairman

Responses to the CBFA — Customs Brokers & Forwarders Association of Northern California, letter dated July 19, 1996

1. Statement noted. Please see the response below to CBFA comments 3 and 4.
2. The Final EIS/EIR evaluates, as a potential worst-case scenario, the need to manage the disposal of 300 million cubic yards of dredged material (the high-end estimate) that may be generated over the 50-year LTMS planning period. The LTMS is not a finite program; rather it is an ongoing management process that will be revised and updated as additional information on restoration practices and management techniques is acquired over time. As discussed in Chapter 2, the basic assumptions applied to the programmatic EIS/EIR for this worst-case scenario will be reconsidered under the LTMS Management Plan program every 6 years, or more often if needed. Further, the LTMS agencies fully intend to involve the public in the review of the prepared Management Plan through public workshops and a public comment period before the Management Plan is finalized.
3. We believe that the alternatives discussed in the Draft EIS/EIR have been adequately analyzed for a policy/programmatic document and the associated decisions. A more detailed environmental and economic analyses will be done for specific projects on a case-by-case basis, as appropriate. Please also see the response to DOC comment 2.
4. Please see the response to Oakland comment 12 and GGAS comment 27.

The program-level economic analysis presented in Chapters 5 and 6 is appropriate to the programmatic decisions being made in this EIS/EIR. Individual dredging projects will not be forced to pay for disposal alternatives that are not practicable, although some increase in overall cost may occur. LTMS agencies are pursuing alternative funding sources and mechanisms, as well (see Chapter 7).
5. Please see the response immediately above to CBFA comment 4.
6. Please see the response above to CBFA comment 4.

RAY B. KRONE & ASSOCIATES
SEDIMENTATION • TIDAL HYDRAULICS

June 11, 1996

Ms. Karen Mason
LTMS EIS Coordinator
c/o U.S. Environmental Protection Agency
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75 Hawthorne St., (W-3-3)
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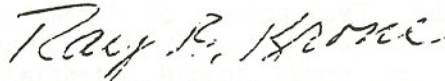
Re: EIS/EIR Review

Dear Ms. Mason:

Distribution of the enclosed copies to the actual participants in the EIS/EIR preparation would be greatly appreciated. They are not listed in any of the documents that I have, and they should be informed of the comments that have been sent to the national and state levels of administration.

Thank you.

Sincerely,


Ray Krone

R-623

June 11, 1996

Mr. Martin Lancaster
Assistant Secretary of the Army, Civil Works
Room 2E570, 108 Army Pentagon
Washington, DC 20310-0108

Subject: Long Term Management Strategy (LTMS) for Placement of Dredged Material
in the San Francisco Bay Region: Draft Policy Environmental Impact Statement /
Programmatic Environmental Impact Report (1)

Dear Mr. Lancaster:

The Long Term Management Strategy combined agency effort for developing a fifty-year management program for disposal of dredged sediment in the San Francisco Bay region has prepared a Draft EIS/EIR and has distributed it for public comment. The San Francisco region LTMS effort appears to be a forerunner of similar efforts in other regions, and the experience of this group may be useful for those following. This brief review of the Draft EIS/EIR is presented to your level of a participating agency with the hope that subsequent efforts will be more productive.

1 | This document fails to meet even the basic objectives of an EIS/EIR. The "Alternatives" are only disposal of different portions of dredged materials at existing open water disposal sites and on land. No alternative sites were considered. Evaluations of "impacts" of the alternatives are subjective evaluations of purely hypothetical impacts that are described in chapters 2, 3, and 4 by the words "could potentially cause ...," "may be affected...," "potential exposure ...," "... could occur." Appropriate field and model study impact evaluations and serious economic evaluation are missing. The program described would perpetuate the mismanagement of dredged material that has stifled our ports, damaged our economy, and possibly damaged our fishery. Neither the strategy described in this draft nor its evaluation demonstrate present day capabilities for environmental quality management.

Background

Prior to 1971, dredging in the San Francisco Bay system was largely managed by the Corps of Engineers. We had decades of excellent port service, a very healthy economy, and a healthy fishery. Most of the dredged sediment was disposed in ten open water disposal sites that were distributed around the bays.

The US Environmental Protection Agency promulgated the Jensen Criteria in 1971. Dredged sediment was labelled "polluted" when it failed to pass arbitrary criteria that were set by a committee of chemists. These criteria were based on a test that was shown shortly thereafter to be irrelevant to water quality management.

The California Regional Water Quality Control Board and the Bay Conservation and Development Commission subsequently imposed their management policies, in addition to those of the EPA, on dredged sediment disposal as a result of the classification of sediment as "polluted." Disposal of roughly two thirds of material dredged in the Bay system was concentrated at a site near

Alcatraz, and the remainder was disposed in two sites in the upper bays or on land. Costs of dredging were sharply increased by this policy because of longer hauls to the disposal sites. There has been no demonstrated benefit of this management to the fishery or to any other environmental or conservation objective.

An ocean disposal site fifty miles west of the Golden Gate has recently been approved by the EPA for dredged sediment disposal.

Sediment tests that provide accurate information for management objectives have not been accepted by these agencies during the twenty-five years since the Jensen Criteria were promulgated. It is remarkable that, with the large amount of research on sediment testing that has been conducted and the extensive testing that the agencies have required of applicants during that time, the issue of testing has not been resolved. 2

Sediments enter the Bay system in rain and snowmelt runoff during winter and spring. Approximately two-thirds is supplied by Central Valley drainage, and the remainder can be attributed to local runoff. The suspended particles are largely clay and silt minerals, with small amounts of organic matter. The sediment from the Central Valley deposits initially in the upper bays, and that from local streams deposits near their mouths. Daily spring and summer onshore winds generate waves on the shallow bays that suspend the material and tidal currents circulate it throughout the system. A large portion deposits in shallow areas at night, when the wind dies, and is suspended the following day to continue its circulation. Suspended solids concentrations in the shallow bays are high in winter, spring, and summer. A portion is carried into deepened navigation facilities where tidal currents are not strong enough to suspend it. Roughly 40 percent of the annual inflow exits the Golden Gate (2).

As pointed out in the draft EIS/EIR, the amount of sediment that is suspended by open water disposal of dredged material during a year is a tiny fraction of that suspended by waves and currents in the San Francisco Bay system.

The sediment particles have large sorptive capacities, and dissolved and suspended toxic materials discharged to the Bay system are adsorbed by or aggregated with suspended sediment particles. Where toxic materials are discharged to Bay waters and where the residence times are long and deposition rapid, "hot spots" develop.

Draft EIS/EIR Alternatives

The alternatives presented in the draft are simply four distributions of disposal among the existing Alcatraz and upper bay sites, the existing ocean disposal site, and unspecified "upland/wetland reuse." There is no evaluation of actual environmental or economic impacts of disposal at the open water sites, no comparison with disposal at other sites, and no other environmental or economic foundation for retaining these sites. Upland/wetland reuse appears to be based on philosophy, not on evaluation. 3

Mr. M. Lancaster
6-11-96

Environmental Impacts The Black Rock Harbor studies that were conducted jointly by the Corps and EPA (3) demonstrated that open water disposal has less adverse environmental impacts than land disposal because the sediments are returned to the conditions under which they were deposited. Open water disposal sites should be designed to minimize even those impacts. Concentration of disposal at the Alcatraz site places mud in an area of sand and in waters that have nearly the lowest concentrations of suspended sediment in the Bay system. The site is also overloaded: transport from the site by tidal currents has been at rates lower than the disposal rate as evidenced by "mounding." The Draft EIS/EIR notes that frequency of disposal is a major determinant of impacts; concentrating disposal at Alcatraz increased disposal frequency many fold, relative to the frequencies at dispersed sites. Further, the long hauls from dredging sites to the Alcatraz disposal site significantly increased fuel consumption, the contribution of dredging to air and water pollution, and traffic congestion in central San Francisco Bay. An environmental rationale for concentrating disposal at this site is not apparent.

The ocean disposal site has even more pristine water, and the 100 mile barge round trip will consume even more fuel. The only rationale for creating this site appears to be "Not In My Back Yard!"

An obvious alternative is the ten disposal sites that were distributed around the Bay system prior to 1971. Small amounts of material were returned to active transport at each of these sites, and any one site was used infrequently. Most of the sites were in areas where organisms are acclimated to fluctuating suspended solids concentrations, and even if the disposed sediment contained undesirable material, there are large amounts of naturally suspended sediment to maintain low levels of contaminant concentration in the surrounding water. As repeatedly pointed out in the EIS/EIR, impacts of dumping are local and last only a few minutes. This strategy would merely put the material that deposits due to waterway deepening back into the circulation that would prevail if the waterways were not deepened. Fuel consumption and the contribution of dredging and hauling to air pollution under this strategy was far less than that under current disposal regulation. This alternative and other disposal plans that may enhance environmental quality for fish and man should have been evaluated.

Economic Impacts The two major economic impacts of the proposed plan are due to long delays caused by uncertain requirements for testing and permitting and the cost of long hauls of dredged sediment from the dredging site to the disposal sites. Testing protocol and simplified permitting are not yet resolved, even after six years of LTMS negotiations, and no firm evidence of relief is in sight. As proposed by the Draft EIS/EIR, hauling distance will be further increased to the extent that it can be imposed.

There is an even more fundamental economic impact that is only alluded to in Chapter 2. As noted above, "polluted" sediments result from discharge of "pollutants" to Bay waters. Under the present and planned requirements, ports pay the extra cost of disposal of over a million cubic yards a year of sediments that are claimed by the regulating agencies to be polluted by such discharges: Ports are required to pay for the failure of the very agencies that impose the

Mr. M. Lancaster
6-11-96

requirements to meet their own primary responsibilities for controlling pollutant discharges. 7

The EIS/EIR relates costs of proposed disposal alternatives to the "...overall dredging-related maritime economy in the Bay Area." There is no way that the overall dredging-related economy can pay the cost of dredging short of a special purpose value-added tax. The federal government and the ports pay the costs of dredging. Increased dredging costs funded by any means are eventually borne by users of shipped goods and federal taxpayers, and any increased cost should be justified by demonstrable environmental benefits, not by a supposed fund source.

Upland/Wetland Reuse Placement of dredged sediment on diked former baylands to accelerate re-establishment of tidal marshes is an attractive prospect. There are appreciable costs associated with preparation of the baylands to provide necessary hydraulic facilities, transporting the dredged material to the transfer site, and pumping and distributing the sediment as needed for marsh drainage. These costs increase rapidly with distance of the bayland from navigable waters. Opportunities for such use of dredged material are therefore limited. No evaluation of the opportunities or costs of disposal over the 50 year planning period using this alternative is presented. Further, burdening ports with the costs of such use is inequitable. 8

Use of dredged material for levee maintenance and landfill cover is also attractive. Prior to use, however, the material must be dried. The costs of transporting to the processing site, spreading, scarifying, and rehandling must be compared with the costs of other sources of suitable material. In any case, these costs should not be borne by those who maintain navigable waterways.

Conclusions 9

The EIS/EIR does not include documented evaluations of the environmental impacts of continuing to use the present disposal sites nor does it consider alternative sites. The entire analysis is superficial and subjective, without presentation of the detailed data needed to evaluate alternatives or to support its recommendations. 9a

The issues of testing and permitting, serious problems for 25 years, are not resolved and there is no clear prospect of resolution. 9b

Members of the LTMS program that are responsible for water quality management have failed to control the discharges to Bay waters that cause contamination of sediments. These same agencies are requiring those who maintain navigable waterways to pay costs due to this failure. 9c

There is a surprising lack of long term management strategy in the EIS/EIR. The only strategy seems to be to minimize in-bay disposal -- assumed without foundation. A much more appropriate strategy would include: 9d

1. Reduce contaminants in bay waters and sediments by reducing discharges

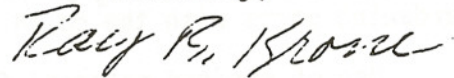
Mr. M. Lancaster
6-11-96

9d ↑
of pollutants to the Bay-Delta system, beginning with discharges at "hot spots" and continuing until the waters support a healthy fishery.

2. Design sediment management that minimizes water and air pollution, energy consumption, traffic, and costs.
3. Provide clear, consistent testing and permitting procedures.
4. Plan periodic strategy reevaluation.

The EIS/EIR process requires at least evaluation of environmental impacts of a range of alternatives, including alternative in-bay disposal sites. Environmental quality management is not just a public relations problem. Effective management is based on careful evaluation of physical, biological, and economic data and real-data based projections of impacts on these areas that would result from various management strategies. The EIS/EIR should demonstrate comprehensive evaluation leading to the most desirable management strategy from water quality, air quality, port operation, and economic standpoints.

Sincerely,



Ray B. Krone

Copies to LTMS program members

References

1. Prepared February, 1996 by the LTMS program member agencies:
U.S. Army Corps of Engineers, San Francisco District
U.S. Environmental Protection Agency, Region 9
San Francisco Bay Conservation and Development Commission
San Francisco Bay Regional Water Quality Control Board
California State Water Resources Control Board.

2. Sediment Budget Study for San Francisco Bay, prepared by Ogden Beeman & Associates, Inc. and Ray B. Krone & Associates for the San Francisco District, Corps of Engineers, Contract DACW07-89-D-0029, February, 1992.

Note: On page 4-27, an estimate of 50 percent loss through the Golden Gate is attributed to Krone (1979). That reference shows that the loss is 38 percent (4.0/10.5), which is consistent with the other estimates.

3. Summary of the US Army Corps of Engineers/US Environmental Protection Agency Field Verification Program, R. K. Peddicord, Battelle Ocean Sciences, Duxbury, MA 02332.

Mr. M. Lancaster
6-11-96

Similar letters have been sent to:

Mr. Martin Lancaster
Assistant Secretary of the Army, Civil Works
Room 2E570, 108 Army Pentagon
Washington DC 20310-0108

Mr. Bob Perciasepe
Asst. Administrator for Water Programs
U.S. Environmental Protection Agency
1029 East Tower, MC4101
401 M. Street
Washington, DC 20460

Mr. John P. Caffrey
California Water Resources Control Board
901 P Street
Sacramento, CA 95814

Responses to Krone — Krone, Ray B. & Associates, letter dated June 11, 1996

1. The purpose of the EIS/EIR document is not to designate disposal sites, but to define the most appropriate mix for placement in the three disposal environments. Nevertheless, LTMS has considered a wide variety of UWR sites and some in-Bay sites (see Appendix E), and continues to coordinate in identifying potential sites (i.e., via Wetland Habitat Goals, North Bay Initiative, California Coastal Commission, rehandling study, etc.). EPA's EIS on SF-DODS under LTMS evaluated five alternative ocean disposal site locations. We agree that LTMS did not look at many "new" in-Bay sites, but this was based on public concerns that alternatives to in-Bay disposal be developed before any new in-Bay sites are ever considered.

The LTMS believes that the alternatives discussed in the Draft EIS/EIR have been adequately analyzed for a policy/programmatic document, the associated decisions, and environmental quality management. A more detailed environmental and economic analyses would be done for site-specific and project-specific projects, as appropriate (please see the response to Krone comment 9a below regarding careful evaluation of impacts).

2. Since 1993, the LTMS agencies have used sediment testing guidelines documented in Public Notice 93-2. These guidelines will be revised to be consistent with the newly-adopted EPA/COE national sediment testing guidelines (the Inland Testing Manual). See the responses to BPC comments 20a through 20y.

3. The purpose of the LTMS EIS/EIR is to develop a long-term strategy that distributes the dredged material among the three disposal environments (in-Bay, ocean, and UWR), in a way that minimizes environmental impacts and maximizes environmental benefits in an economically sound manner. The document is not intended to be the basis for making specific disposal site designation decisions and selections. Specific disposal site decisions will be determined in environmental analysis (NEPA/CEQA) documents prepared on a site-specific and project-specific basis. The Draft EIS/EIR does present a "generic analysis" of the generic impacts of the No-Action and the three placement-site alternatives (ocean, in-Bay, upland/wetland reuse) in Chapter 6. Chapter 6 also includes a "relative" analysis, including an economic analysis to compare the potential differences among the alternatives. The economic analysis in Chapter 6 is not an estimate of any specific project's actual costs.

The viability of upland/wetland reuse as a disposal option for dredged material has been evaluated through a variety of LTMS Technical Studies, case studies, and the Draft EIS/EIR. The LTMS agencies continue to evaluate the success of upland/wetland reuse projects to determine further the feasibility of these sites. The Final EIS/EIR contains more information on the Sonoma Baylands, one example of a large-scale wetland restoration project. Other successful examples of wetland restoration include Muzzi Marsh in Corte Madera, Marin County; Faber Tract in Palo Alto, Santa Clara County; and Salt Pond No. 3 in Fremont, Alameda County. Other upland reuse activities continue to be evaluated such as levee maintenance/stabilization and rehandling facilities.

4. In response to the comment that an environmental rationale for historically concentrating disposal at the Alcatraz disposal site is not apparent based on discussion in the Draft EIS/EIR, that is true; much of the old thinking is not re-evaluated. The proposed disposal alternative would reduced in-Bay disposal.
5. The SF-DODS EIS (section 4.2.1.1) and LTMS Draft EIS/EIR (section 6.1.5.2) both discuss air emissions from fuel consumption. Ocean disposal does result in more fuel consumption and more air emissions per trip than in-Bay disposal. However, many small trips now go to in-Bay sites, while generally only large loads go to SF-DODS. All emissions related to disposal at in-Bay sites are also closer to the human population while much of the emissions associated with SF-DODS occur well offshore. We determined in Chapter 6 of the LTMS Draft EIS/EIR that ocean disposal is generally preferable to in-Bay disposal, overall, because there is less risk to aquatic resources, less dispersion, and fewer resources to be exposed to dredged material.

6. Please see the response to Krone comment 5.
7. The certainty of testing protocols and simplified permitting have increased significantly in the last year with the establishment of the Dredged Material Management Office (DMMO). The DMMO was established to foster a comprehensive and consolidated approach to handling dredged material management issues to reduce redundancy and delays in the processing of dredging permit applications. Clarification of the testing and permitting required for both in-Bay and upland/wetland reuse projects has reduced the potential for an economic impact due to this aspect of dredging project planning.

The commentor also notes that long haul distances to disposal sites are a major economic impact. Implementation of the preferred alternative (Alternative 3) would require a transition phase to Alternative 3. This would allow ample time to determine alternative funding sources and identify potential disposal areas located at sites close to major dredging projects. In some cases, dredging costs could decrease if an upland/wetland reuse site was located closer to a project than an in-Bay or the ocean disposal site. Addressing the potential economic impacts of the LTMS policies will be an important aspect of the success of any long-term disposal programs.

As section 7.3 outlines, the larger target volumes for upland or wetland reuse (particularly alternatives 2 and 3) would be difficult to achieve fully under existing agency authorities and cost-sharing requirements. Many funding mechanisms are outlined in this section. The LTMS agencies are aware that all increased costs cannot fall upon the federal government and ports. Instead, a variety of funding mechanisms, similar to those discussed in section 7.3, will need to be employed.

8. Please see the response to DOC comment 1 regarding opportunities for upland/wetland reuse. Table 6.2-4 of the EIS/EIR presents estimates of total costs over a 50-year period for the No-Action Alternative and Alternatives 1, 2, and 3.

Section 6.2.3.2 provides a preliminary evaluation of the potential socioeconomic effects disposal alternatives could have on Bay Area ports and other dredgers. All sectors of the Bay dredging community are considered in LTMS policies, and funding will not necessarily fall predominately on any one sector. Financing options that could be used to promote beneficial reuse are under consideration (section 7.3) and further financing options are addressed in the Final EIS/EIR and the LTMS Management Plan.

In section 6.2.3.1, unit cost estimates for in-Bay, ocean, and upland/wetland reuse alternatives are compared. Transportation, placement, and rehandling costs are provided. However, if a less environmentally damaging alternative is practicable for a project (even if it may be somewhat more expensive) current law requires that such an alternative must be chosen.

9. Please see the responses immediately below to Krone comments 9a through 9d.
- 9a. The LTMS Draft EIS/EIR does present a "generic analysis" of the generic impacts of the No Action and the three placement-site alternatives (ocean, in-Bay, upland/wetland reuse) in Chapter 6. The Draft EIS/EIR generally evaluates the alternatives in terms of the relative risk of adverse impacts occurring. Absolute impacts and benefits are discussed where appropriate. However, the degree of actual adverse impacts to Estuary resources, associated with current volumes of in-Bay dredged material disposal and the other potential levels of disposal represented by the different alternatives, is impossible to accurately quantify with existing scientific information.

In addition, although sediments dumped at the primary in-Bay disposal site, Alcatraz, were expected to disperse to the ocean, in late 1982 a mound was discovered. It became apparent that the capacity of the Alcatraz site was less than the amount of material disposed there during the 1980s. The capacity at Alcatraz was also certainly less than could be accommodated by the substantial volumes of dredged material that would be generated by new work projects that were planned to be constructed over the next several years. Because of in-Bay impacts associated with this mounding (i.e., "mudlock") at the

Alcatraz disposal site, the LTMS was formed to find alternative disposal site options. This mounding at Alcatraz highlighted three issues associated with dredged material disposal capacity that needed to be addressed: (1) the need to reduce reliance on in-Bay disposal; (2) the need to ensure adequate capacity for contaminated material; and (3) the need to establish multi-user options for beneficial reuse of dredged material. The designation of the SF-DODS in 1994 helped somewhat in decreasing the reliance on Alcatraz and other in-Bay disposal sites, but did nothing to provide disposal capacity for dredged material that is contaminated, or otherwise unsuitable for unconfined aquatic disposal. Therefore, LTMS is working to address these issues.

Alternative sites for dredged material have been addressed previously in other LTMS documents such as "Work Element H — Evaluation of In-Bay Disposal Sites." In addition, Appendix E of the Draft EIS/EIR describes some of the in-Bay sites evaluated such as the Bay Farm Island Borrow Pit, Golden Gate Bridge Site (North Tower), and San Francisco Bar Channel Site.

We believe that the alternatives discussed in the Draft EIS/EIR have been adequately analyzed for a policy/programmatic document and the associated decisions. A more detailed environmental and economic analyses would be done for specific projects, as appropriate.

9b. See the response to Krone comment 2.

9c. While it is true that the job of controlling the discharge of contaminants to the Bay is not finished, major improvements have been made since the 1960s. In the 1970s, the state and federal agencies worked to increase the reliability of sewage treatment around the Bay (and the nation). During the 1980s, the focus was on continued improvements to sewage treatment and protection of groundwater. Water quality control agencies are only now beginning to deal with non-point source runoff, i.e., the water that enters the Bay through creeks, rivers, and storm drains. Regulation of non-point sources is difficult because the pollutants can have many sources and it is usually difficult to identify the main contributors.

The LTMS agencies acknowledge that dredging anywhere in the Bay may involve removal of some contaminants that were not released by the dredging proponent. Nevertheless, much of the contamination found in harbors and marinas is locally derived. Examples are DDT releases from loading operations (United Heckathorn), PCB releases through storm drains (Hunters Point, Alameda Naval Air Station), heavy metals released from bottom paint scraping (small boat yards and Mare Island Naval Ship Yard), and many contaminants released during ship dismantling operations (Richmond Harbor and Oakland Harbor).

9d. LTMS is implementing a portion of the San Francisco Estuary Project's (SFEP) Comprehensive Conservation Management Plan, which was established to "promote effective management of the San Francisco Bay-Delta Estuary and to maintain its water quality and natural resources." SFEP and other programs involved with LTMS include these goals and address pollution prevention as well.

All of these concerns have been evaluated briefly in the Draft EIS/EIR. Energy consumption is addressed in Chapter 6 in the transportation and air quality sections (sections 6.1.4 and 6.1.5, respectively).

This is a goal for all alternatives. Through the selection of Alternative 3 as the preferred alternative, and the best overall trade-off for all these issues, some implementation has already started. For example, the DMMO pilot office has been established and the Regional Implementation Manual (RIM) will be developed.

The long-term management strategy (i.e., the LTMS) will be periodically evaluated, as the comment suggests, through periodic updates of the Management Plan, as explained in the response to DOI comment 5.

In response to the last paragraph of the comment, the LTMS attempted to do this by selecting Alternative 3 as the best overall trade-off of all these issues (i.e., water quality, air quality, etc.). The goal of the LTMS is not to "optimize" the economics of the industry, but to distribute the dredged material among the three placement environments in a way that minimizes environmental impacts and maximizes environmental benefits in an economically sound manner. Therefore, LTMS can achieve the best environmental results within the practicability constraints of the present economy and industry.



LEAGUE OF
WOMEN VOTERS
OF THE BAY AREA

An Inter League Organization of the San Francisco Bay Area

July 17, 1996

LTMS EIS/EIR Comments
c/o U.S. Environmental Protection Agency
Region 9 (W-3-3)
75 Hawthorne Street
San Francisco, CA 94947

Dear LTMS Agencies:

The League of Women Voters of the Bay Area appreciates the opportunity to comment on the Draft EIS/R for the Long Term Management Strategy for the disposal of material dredged from San Francisco Bay. We would like to thank members of the LTMS Management Committee for the recent presentation to our Water Committee. The information was very helpful in providing an understanding of the history and complexity of the issues.

We support the efforts of the agencies in addressing the long-standing problem of disposing of material dredged from San Francisco Bay. The 5-year LTMS effort has produced important technical data and background information and appears to have made considerable progress in working out an approach to this contentious issue. We are optimistic that a program that is acceptable to all interests can be worked out.

We request that the following be addressed in the revised EIS/R: | 1

- Identify the time table for reviewing and processing possible revision of the Management Plan. Fifty years is an extreme time frame, and the discussion addressing review gives no specific information on when and how it would occur. The process should include an opportunity for meaningful review and comment by the public. We suggest that the usual time frame for review of general plans, i.e. every 10 years, be considered as a time line for LTMS review. | 1a
- Provide additional analysis of the reuse of existing upland sites. Military bases being surplus seem to present opportunities for upland placement. For example, the runway at Hamilton, which is now being considered for marsh restoration, already developed areas at Mare Island, and areas at other bases where dredged material could be placed and subsequent development occur, are all possibilities. | 1b
- Analyze separately the placement of dredged materials on uplands and on diked baylands. Considering these reuse | 1c

- 1c | categories together is confusing and hinders adequate review of the adverse impacts of placing dredged material on seasonal wetlands which are located on diked baylands.
- 1d | • Include policy guidelines to ensure adverse impacts to wetlands would be mitigated.
- 1e | • Identify issues to be covered when disposal projects are reviewed on a case by case basis. Case by case review should be required to characterize the site under consideration. Characterization should cover seismic conditions, including the potential for liquefaction using bay mud, wildlife use, existing wetlands and riparian resources on the site.
- 1f | • Develop a programmatic draft monitoring plan to inform commentors on the adequacy of the proposed monitoring.
- 2 | In conclusion, we are not able to make recommendations on a preferred alternative because there is not enough information at this time. In addition to the above information, a draft programmatic Management Plan should be presented before choosing an alternative.

Thank you.

Sincerely,



Jean Matsuura
President

Responses to the LWV — League of Women Voters of the Bay Area, letter dated July 17, 1996

1. See responses to subsequent LWV comments.
- 1a. Please see the response to BayKeeper comment 2a.
- 1b. The reuse of dredged material at closed military bases, such as Hamilton and Mare Island, presents excellent opportunities for wetland restoration. However, additional analyses of these sites are not contained in this programmatic document because a project-specific evaluation would be required for each site.
- 1c. Statement noted. Please see the responses above to DOI comments 13 and 25c.
- 1d. Chapter 5 (section 5.1, Policy/Program-Level Mitigation Measures) of the Draft EIS/EIR includes a variety of measures developed for the purpose of avoiding, minimizing, or mitigating adverse impacts to wetlands and other habitat types that could result from the disposal or reuse of dredged material. In addition, section 5.1.2.1 (Upland Habitat Conversion Associated with Restoration Projects) has been expanded to more clearly state the relation of the LTMS agencies' existing mitigation policies regarding disposal or reuse projects overall.
- 1e. The discussion of policy-level mitigation measures in Chapter 5 of the EIS/EIR already includes issues to be evaluated on a case-by-case basis, including many of the factors listed in the comment. However, Draft EIS/EIR Tables 5.1-2 through 5.1-5 (Final EIS/EIR Tables 5.1-3 through 5.1-6) have been revised to more clearly include seismic issues as a factor under the "Site Construction" category.
- 1f. Each multi-user disposal or reuse site will be covered by an appropriate site management and monitoring plan. In the case of the SF-DODS, its site management and monitoring plan is contained in the August 11, 1994 rule that established the disposal site, and is available to the public. All plans will be included or reflected in the overall LTMS Management Plan that will be developed to implement the preferred alternative chosen in this EIS/EIR; see the new discussion of the transition to the preferred alternative (Alternative 3) in the Final EIS/EIR (section 6.5).
2. Statement noted. Please see the response to DOC comment 2. See also the response to CBFA comment 3. Public scoping meetings have been held for the Management Plan and the LTMS agencies are currently working toward releasing a draft to the public in early 1999.