

# Chapter 1. Introduction

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This document presents comments submitted in response to the draft environmental impact report/environmental impact statement (EIR/EIS) for the Hamilton Wetland Restoration Plan. The draft EIR/EIS, prepared for the California State Coastal Conservancy (Coastal Conservancy) and the U.S. Army Corps of Engineers (Corps), was distributed to the public and regulatory agencies for review and comment on August 14, 1998.

Comments on the draft EIR/EIS were received in letters submitted during the public comment period. Two public hearings were also held on September 2 and September 14, 1998, in Novato, California. No public comments were received at the public hearings. The comment period began on August 14, 1998, and ended on September 28, 1998.

The California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) require the lead agencies to respond to comments received during the comment period. This document has been prepared in accordance with these requirements.

The document includes responses to general issues and individual comments raised during the comment period. Chapter 2 of this document contains detailed responses to four general issues:

- ◆ flooding and drainage of surrounding parcels,
- ◆ levee stability and construction standards,
- ◆ suitability of dredged material, and
- ◆ existing contamination at the project site.

Chapter 3 contains comment letters, each of which is followed by individual responses to the comments raised. This chapter also contains a list of comments received during the comment period. The responses generally provide clarification of the materials in the draft EIR/EIS; however, they occasionally include changes or additions to the text. In the final EIR/EIS, these additions are indicated by double-underlined text (additions) and deletions by struck-out text (~~deletions~~). The document is organized as follows:

- ◆ Chapter 1. Introduction,
- ◆ Chapter 2. Responses to General Issues,
- ◆ Chapter 3. Responses to Specific Comments,
- ◆ Chapter 4. Citations, and
- ◆ Appendix A. Supporting Information.



# Chapter 2.

## Responses to General Issues

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As explained in Chapter 1, this chapter focuses on four general issues that were raised by various commenters during the public comment period on the draft EIR/EIS. Because of the general nature of these issues, they are addressed separately from (and in greater detail than) the specific comments identified in Chapter 3.

### Flooding and Drainage of Surrounding Parcels

#### Comment

How would the issue of flooding and drainage from surrounding parcels be addressed? In particular, what assurances can be provided that these issues would be addressed by the Coastal Conservancy before the wetland restoration project begins and that the draft EIR/EIS has evaluated the environmental impacts that could occur as a result of modifying the drainage systems?

#### Response

##### Conditions for Transfer

As indicated on page 3-3 of the draft EIR/EIS, the Hamilton Army Airfield (HAAF) parcel would not be transferred to the Coastal Conservancy until certain management issues are addressed by the U.S. Army. One important consideration is resolving the flooding and drainage issues on surrounding parcels given that the Army intends to close the base and transfer the property, and does not intend to continue pumping the site indefinitely when the HAAF parcel is conveyed to a new owner by the Army and the designated reuse of the HAAF parcel is implemented. The Army's goal is to resolve flooding and drainage issues with surrounding properties so that flooding and drainage characteristics of parcels surrounding the HAAF parcel are not adversely affected as a result of base closure. To ensure that closure of the HAAF parcel would not affect these flooding and drainage characteristics, the Army has committed to modifying the drainage facilities of the surrounding parcels: the St. Vincent's, Las Gallinas Valley Sanitary District, and U.S. Navy properties; Landfill

26; the California State Lands Commission (SLC) parcel; and the Bel Marin Keys Unit V (BMKV) development parcel.

The Coastal Conservancy has indicated that, as a condition of the transfer of the HAAF parcel from the Army, it would not maintain or operate the existing flood control infrastructure; the flood control and drainage issues described below must be resolved. The Army has agreed to address these drainage issues as part of the closure of HAAF. The Army has indicated that it will undertake any additional environmental impact analysis that may be required to implement these solutions before transfer of the HAAF parcel. A copy of a recent letter to the Coastal Conservancy from the Army describing these commitments is included in Appendix B of the final EIR/EIS.

## **Army's Proposed Actions**

**St. Vincent's, Las Gallinas Valley Sanitary District, and U.S. Navy Properties.** The Army proposes to permanently close the slide gate on the canal that currently drains these properties onto the HAAF parcel. The existing St. Vincent's pump station is currently being repaired and upgraded so that it will be able to accommodate any additional drainage onto the St. Vincent's parcel resulting from closure of the slide gate. The Army would pay a portion of the cost to repair and upgrade the St. Vincent's pump station. This drainage would be redirected to the upgraded pump station being constructed by St. Vincent's and managed by the Las Gallinas Sanitary District.

**Landfill 26.** The Army proposes to construct a lift station to convey water from the Landfill 26 area and the surrounding area to be compatible with the wetland restoration project. The discharge would be placed at an elevation that allows for gravity drainage through the proposed wetland restoration project site. The Army and the City of Novato (City) are negotiating an agreement stating that the City will maintain and operate the pump station as a condition of using the Landfill 26 area for recreation purposes. The resolution of this issue is pending formal response from the City to accept and manage the pump station.

The Army also recently constructed a berm around a portion of Landfill 26 to protect the landfill from overflow from Pacheco Creek up to the 100-year flood event. The berm will reduce the amount of water that will be conveyed from the Landfill 26 area through the new pump station.

**State Lands Commission Parcel.** As part of the original transfer of the "antenna field" from the Army to the SLC, the Army reserved the right to block the drainage of surface water from the SLC parcel onto the HAAF parcel. This right would be transferred to the Coastal Conservancy as part of the transfer of the HAAF parcel.

**Bel Marin Keys Unit V.** Three 30-inch-diameter corrugated steel pipes run through the perimeter levee that separates the HAAF parcel from the BMKV parcel. The pipes are plugged and do not provide drainage between the HAAF and BMKV parcels. The Army is working with the owner of the BMKV parcel to resolve this issue and determine the function of the drainage pipes. The Army intends to obtain approval from the landowner to permanently block the drainage without modifying the BMKV parcel drainage system. If this agreement is not reached, the Army will undertake the additional steps necessary to secure approval of the adjacent landowner to permanently block all drainage.

## **Pacheco Pond**

To prevent erosion of the levee between Pacheco Pond and HAAF and provide for overflow onto the HAAF parcel from Pacheco Pond during high creekflows and high tidal backwater effects from San Pablo Bay and Novato Creek, the U.S. Air Force installed two 24-inch siphons extending from the reservoir to the northwestern corner of HAAF in the 1960s. The siphons are no longer operating.

Alternatives 3 and 5 could benefit the flood control capacity of Pacheco Pond. As indicated in Figures 3-10 and 3-14 of the draft EIR/EIS, high flows from Pacheco Pond would be allowed to drain through flap gates to the HAAF parcel. Although improving flood control capacity is not an objective of the wetland restoration project, the hydrologic connection between Pacheco Pond and the project site would benefit the flood control capacity of Pacheco Pond by diverting some floodwaters that typically flood surrounding areas. The capacity of the connection between Pacheco Pond and the HAAF parcel would be determined as part of final design.

## **New Hamilton Partnership Drainage Facilities**

Potential impacts on New Hamilton Partnership drainage facilities are described on page 5-15 of the draft EIR/EIS. As indicated in Mitigation Measure 5.1, the Coastal Conservancy would ensure that placing fill along the New Hamilton Partnership levee to create a wildlife corridor would not affect the discharge capacity of the adjacent pump stations. Stormflows discharged from the two pump stations would eventually drain to San Pablo Bay during ebb tides.

## **Levee Stability and Construction Standards**

### **Comment**

What are the construction standards for the project's perimeter levees? How will levee stability be ensured?

### **Response**

The perimeter levees for the Hamilton wetland restoration project would be designed and constructed by the Corps. Generally, the engineering and design of the levees would be performed in accordance with the Corps manual Design and Construction of Levees (EM 1110-2-1913, March 31, 1978) and with Change 1 to the engineering and design manual (June 30, 1996).

The levees would be designed for seismic stability in accordance with the levee engineering and design manual and the guidance provided in the Corps Waterways Experiment Station's Miscellaneous Paper GL-84-13, "Rationalizing the Seismic Coefficient Method" (Hynes-Griffin and Franklin 1984). The levee design also would meet the guidelines found in Chapter 5 of California Division of Mines and Geology (DMG) Special Publication 117, "Guidelines for Evaluating and Mitigating Seismic Hazards in California" (adopted on March 13, 1997).

The levees would be designed to withstand earthquake ground motions that have an exceedance probability of 10% in 50 years (primarily the mean peak horizontal acceleration), as provided by DMG Open-File Report OFR 96-04, "Probabilistic Seismic Hazard Assessment for the State of California"; U.S. Geological Survey (USGS) Open-File Report 96-532, "National Seismic-Hazards: Documentation June 1996"; and the revised USGS California-Nevada maps (November 1996). Long-term maintenance of the levees would be the responsibility of the eventual property owner.

## Suitability of Dredged Material

### Comment

Is dredged material suitable for wetland restoration?

### Response

The suitability of dredged material for the project site would be determined through the existing testing and suitability processes used by the state and federal agencies charged with approving disposal of material dredged from San Francisco Bay: the Regional Water Quality Control Board (RWQCB), San Francisco Bay Conservation and Development Commission (BCDC), U.S. Environmental Protection Agency (EPA), and the Corps. Although liability is not an environmental issue that must be evaluated under CEQA or NEPA, liability will be determined (if such a determination is necessary) by applicable federal, state, and local laws and regulations.

These agencies have established a cooperative Dredged Material Management Office (DMMO), which makes joint recommendations on the suitability of dredged material for proposed disposal sites. The agencies require dredging project applicants to sample and test sediments proposed to be dredged for chemical constituents of concern and for toxicity, using protocols acceptable to the regulatory agencies. The adequacy of the sampling and testing is evaluated by the DMMO, which then reviews the test results to evaluate the acceptability of the dredged material for disposal at proposed sites in bay, ocean, wetland, or upland environments.

The RWQCB has developed guidelines (Wolfenden and Carlin 1992) that identify acceptable contaminant levels for use in wetland projects. The DMMO would use these guidelines, or an updated version of them, and other pertinent information to assess the suitability of any dredged material proposed for use at the project site. The Wolfenden and Carlin guidelines specify slightly differing criteria for "cover" material (which meets more stringent requirements and can be used anywhere in a wetland) and "noncover" material (which is less stringently regulated but needs to be properly buried); only material appropriate for cover as determined by the DMMO would be accepted for use at the project site. Separate tests for contaminant leaching are used to evaluate the acceptability of material for upland disposal. Only material found suitable by the DMMO would be used as part of the upland component of the project.

# Existing Contamination at the Project Site

## Comment

How, when, and to what level would the HAAF and SLC parcels be remediated? What is the relationship of the Defense Base Closure and Realignment Act of 1988 and the Defense Environmental Restoration Program to the cleanup process?

## Response

### Defense Base Closure and Realignment Act of 1988

The Defense Base Closure and Realignment Act of 1988 (BRAC) (Public Law 100-526) required the closure and disposal of various military properties and facilities still in military ownership, including HAAF, and remediation consistent with CERCLA. During the BRAC process, disposal of the property could be accomplished through a Public Benefit Discount Conveyance, through which state or local entities may obtain property at less than fair market value when supported by a federal agency (in the case of HAAF, the U.S. Fish and Wildlife Service [USFWS]) for uses that would benefit the public.

Currently, the U.S. Army anticipates transfer of the HAAF parcel to the Coastal Conservancy through such a conveyance by 2000. A condition of this transfer is remediation of contamination at the site to a level suitable for the proposed wetland restoration. As a result, HAAF is undergoing investigation and remediation of contaminated areas. All sites known to be contaminated will be remediated by the U.S. Army to levels that meet federal, state, and local regulations and protect human health and the environment, and will be certified to be clean by the proper authorities before they are transferred, sold, or reused.

### Existing Contamination

**HAAF Parcel.** The site occupied by HAAF has been the property of the military since 1930. Before that time, it was farmed. Farming at that time did not involve the use of significant contaminants; the only known sources of contaminants at the site are those resulting from Army use (IT Corporation 1998). The type and source of contamination at each site and the status of investigation and remediation activities are summarized in Table 10-1 in the draft EIR/EIS. (U.S. Army Corps of Engineers 1998a.)

In most cases, the Army plans to remove contaminated soils from the site; however, it has not been determined whether removing all contaminants found at the site is feasible. If contaminants are not removed, they will be covered to a depth based on the Wolfenden and Carlin cover guidelines, invertebrate toxicity, and general San Francisco Bay geological background concentrations. Recent

communications between the Port of Oakland and BCDC provide more detailed information on contaminants on the site and how these contaminants will be addressed before the wetland restoration project proceeds (Appendix A).

**SLC Parcel.** The potential contamination of the SLC parcel has not been assessed or investigated. Based on information provided by the Army, potentially contaminated sites include a rifle range, a former firefighting facility, a pistol range, and a night firing range. In addition, transformers, miscellaneous aboveground fuel storage tanks and underground storage tanks, and several unexploded grenades (unexploded ordnance) are present on this parcel (Call pers. comm.).

## Site Remediation Process

Several federal and state agencies have regulations that govern the use, generation, transport, and disposal of hazardous substances. The principal federal regulatory agency is EPA. The primary state agency in California with similar authority and responsibility is the California Environmental Protection Agency (Cal-EPA) through the California Department of Toxic Substances Control (DTSC) and the RWQCB. Federal regulations applicable to hazardous substances are contained primarily in Titles 29, 40, and 49 of the Code of Federal Regulations (CFR). State regulations have been consolidated into California Code of Regulations (CCR) Title 26.

This subsection describes the governing agencies responsible for oversight and cleanup of hazardous substances at the HAAF and SLC parcels and the processes involved.

**HAAF Parcel.** Two types of contaminants have been found at the HAAF parcel: hazardous waste regulated under CERCLA and contaminants not regulated under CERCLA but still of concern (e.g., asphalt, asbestos, lead paint).

**CERCLA.** The identification, decontamination, and disposal of hazardous waste at HAAF is regulated by the Resource Conservation and Recovery Act (RCRA), CERCLA, CCR Titles 22 and 23, and all applicable or relevant appropriate requirements. The Army is responsible for the cleanup process and performs cleanup activities with funding provided through BRAC. DTSC is the lead agency for regulatory enforcement and oversight of those cleanup activities; however, the Army also must submit findings regarding the effectiveness of the cleanup to EPA and the San Francisco Bay RWQCB.

Any transfer of property must be accompanied by a Finding of Suitability for Transfer (FOST) issued by the Army. A FOST is issued when a property has been determined to be environmentally suitable for transfer. CERCLA Section 120(h)(3) identifies the requirements for environmental suitability.

Regardless of the assessment and cleanup methods used by the Army, contaminated areas of HAAF must ultimately comply with regulatory cleanup levels established on the basis of the reuse plan for the property. Under certain circumstances, a FOST can be issued for a property with ongoing remediation of previous contamination when CERCLA Section 120(h)(3) requirements have been met, the proposed land use (in this case, wetlands) is compatible with the environmental condition of the property, no additional public or environmental health risk exists, and issuing such a finding does not interfere with the ongoing action, which is the proposed wetland restoration project.

The HAAF parcel is not on the National Priorities List of contaminated sites requiring cleanup. A decision was made to pursue a programmatic approach for cleanup based on EPA's Guidance on Conducting Time-Critical Removal Actions under CERCLA (U.S. Army Corps of Engineers 1998b).

The BRAC parcel will be cleaned up under a sequence of regulatory phases. The Army identified the nature and extent of contamination during a series of assessments and investigations culminating in the Comprehensive Remedial Investigation Report (U.S. Army Corps of Engineers 1998a). Based on those investigations, site-specific removal actions during 1998 and 1999 will be used to clean up contamination to preliminary screening levels recommended by oversight regulatory agencies. A combination of confirmatory sampling, toxicity testing, and ecological and human health risk assessments will provide information used to determine final cleanup goals (remedial action objectives) in a focused feasibility study during 1999. All remedial action required to meet those goals is intended to be completed during the removal and confirmatory stages of fieldwork, leading to an environmental Record of Decision that does not require further work; however, if needed, further remediation will be performed to meet final cleanup goals.

**Other Concerns.** Although petroleum hydrocarbons are not covered by CERCLA, cleanup of these substances is being addressed through the state oversight process. Concerns have been raised about the asphalt, which is proposed to be left in place, because it contains polycyclic aromatic hydrocarbons (PAHs).

Asphalt contains high-molecular-weight PAHs, which are the least toxic fraction of this class of chemicals. Furthermore, these PAHs are tightly bound in the matrix of the asphalt. For these reasons, PAHs in weathered asphalt do not pose a significant toxicity risk and asphalt can be used widely in the environment with little concern. The asphalt at the wetland project site would be buried under sediments and therefore would not be exposed to substantial tidal action, which could grind up the asphalt and increase the availability of PAHs to organisms in the environment. In areas where asphalt would interfere with tidal channels forming on the site, the asphalt would be removed before dredged material is placed.

Because of the depth of sediments to be placed over the tidal portions of the site, ingestion or disturbance (bioturbation) of marine sediments by benthic organisms also is not expected to be a problem (benthic infauna usually are limited to the first 3 feet of substrate). More than 6 feet of dredged material would be placed, on average, over the existing substrate and asphalt in the tidal areas. Sedimentation would then increase this depth of cover. Therefore, even if the asphalt were broken up substantially because of the weight of emplaced dredged material and presented additional more surface area as a result, it would not be exposed to benthic organisms.

The only remaining contaminant pathway is through groundwater. High-molecular-weight PAHs have very low solubility, particularly in the low-oxygen groundwater environment in the marsh. Therefore, there is little risk that these tightly bound PAHs in the asphalt would contaminate groundwater, even if the asphalt cracks and presents more surface area because of the weight of emplaced dredged material.

The buildings that are planned for removal may contain lead-based paint and/or asbestos. The Army has agreed to remove any asbestos found in the buildings. The Corps and Coastal Conservancy plan to remove any lead-based paint in conjunction with removal of the buildings.

**SLC Parcel.** The SLC parcel was owned by the U.S. Air Force and was operated as part of Hamilton Air Force Base until 1974. While the base was in active use by the U.S. Air Force, the parcel was used for a variety of purposes, including a rifle range, a pistol range, skeet shooting, fire-fighting training, and a communication facility with several large antennae. Following the decommissioning of Hamilton Air Force Base, the State of California acquired the parcel and leased a portion of the rifle range to the City of Novato Police Department for small-arms training.

Because ownership of the SLC parcel was transferred from the U.S. Department of Defense (DoD) in 1974, environmental cleanup falls under the Formerly Used Defense Site (FUDS) program. The FUDS program, an element of the Defense Environmental Restoration Program (DERP) (10 USC 2701 et seq.), requires remediation of contaminated sites consistent with CERCLA. The objective of the FUDS program is to reduce, as swiftly and cost-effectively as possible, the risk to human health, safety, and the environment resulting from past DoD activities. Apportionment of liability for contamination associated with the subsequent property owner, or third parties, is addressed through the Potentially Responsible Party (PRP) component of the DERP FUDS process. The goal of the PRP process is to negotiate a fair and equitable settlement that represents DoD's responsibility for contamination at a property.

The SLC parcel is currently in the preliminary assessment/site investigation phase of the CERCLA process. This investigation includes the rifle range, which is a PRP site. Subsequent investigation of the SLC parcel will be conducted, if necessary, during a remedial investigation. The remedial cleanup values developed for the HAAF parcel also will be used for the SLC parcel because the contaminants, geology, and anticipated future land use are similar for both parcels. An interim removal action is planned at the conclusion of the site investigation. This interim removal action will include the rifle range if PRP negotiations have resulted in a settlement. After a Record of Decision is agreed to by DoD and federal and state regulatory agencies, any remaining cleanup will be conducted.

## **Level of Site Cleanup**

As committed to by the Army, both the HAAF and SLC parcels will be remediated to a level suitable for wetland restoration as determined by the regulatory agencies overseeing the cleanup. This remediation will exceed the CERCLA requirements for base closure by taking into account the impacts of any contaminants or other site conditions in the context of the proposed breach of the bayfront levees and other wetland restoration activities; it will also include the elimination or reduction of potential impacts from asbestos, pesticides, or petroleum products found onsite. An ecological risk assessment will be used to set the acceptable levels for contamination, and soil bioassays will be used to determine toxicity. As stated previously, these cleanup activities are being conducted as part of an ongoing regulatory process that includes public review.

# Chapter 3.

## Responses to Specific Comments

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This chapter contains the letters submitted by federal and state agencies, organizations, and individuals during the public comment period on the draft EIR/EIS and responses to specific comments. Table 1 identifies the commenters and the pages on which responses to those comments begin.

Table 1. List of Commenters and Location of Responses

| Commenter   | Page |
|---|------|
| U.S. Environmental Protection Agency  | 3-2  |
| U.S. Department of the Interior, Office of Environmental Policy and Compliance                                  | 3-3  |
| U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service | 3-6  |
| California Department of Fish and Game  | 3-7  |
| California State Lands Commission   | 3-8  |
| Port of Oakland   | 3-9  |
| San Francisco Bay Trail   | 3-12 |
| Solano County Department of Environmental Management  | 3-13 |
| City of Novato (September 14, 1998)   | 3-15 |
| City of Novato (September 15, 1998)   | 3-20 |
| Novato Sanitary District  | 3-21 |
| Catholic Youth Organization and the St. Vincent's School for Boys (James Stark)                                 | 3-22 |
| Sierra Club Marin Group   | 3-24 |
| Marin Conservation League   | 3-25 |
| Environmental Forum of Marin  | 3-26 |
| Citizens Committee to Complete the Refuge   | 3-27 |
| Marin Audubon Society   | 3-29 |
| Robert A. Farnham   | 3-36 |

## Response to Comments from the U.S. Environmental Protection Agency

1. The comment indicates that EPA has rated the Hamilton Wetland Restoration Plan EIR/EIS as LO (Lack of Objections) and supports the preferred alternative (Alternative 5), which uses dredged material to hasten the development of wetlands and allows for creation of tidal pannes and seasonal wetlands. The comment is noted, and no changes to the draft EIR/EIS are required.
2. The commenter notes that if dredged material is used, the wetland functions would develop more quickly than under the natural sedimentation alternatives, advancing the goals of wetland restoration while reducing the volume of dredged material in the bay. The comment is noted, and no changes to the draft EIR/EIS are required.
3. The commenter notes that implementing Alternative 5 would help to reduce cumulative effects, substantially advancing the goals of the long-term management strategy, and notes that EPA has identified the HAAF parcel as an environmentally preferred site for wetland restoration with suitable dredged material. The comment is noted, and no changes to the draft EIR/EIS are required.

# Response to Comments from the U.S. Department of the Interior, Office of Environmental Policy and Compliance

1. The Corps and the Coastal Conservancy are committed to creating a wetland restoration project that meets the project objectives identified in Chapter 2 of the draft EIR/EIS and the restoration targets identified in Chapter 3 of the draft EIR/EIS. The Hamilton wetland restoration plan design team and the Hamilton Restoration Group designed the project to maximize habitat values, not dredged material disposal capacity. Dredged material was identified as a method to achieve target elevations.
2. The draft EIR/EIS includes an evaluation of the potential environmental impacts that could occur if the BMKV parcel is incorporated into the wetland restoration project. The Coastal Conservancy is aware of the benefits of expanding the wetland restoration project to include the BMKV parcel, including substantially increasing the acreage of restored wetlands and possibly avoiding the necessity of constructing levees around the HAAF and SLC parcels. The Coastal Conservancy remains interested in incorporating the BMKV parcel into the wetland restoration project. The Coastal Conservancy and BCDC will prepare a conceptual restoration plan for the BMKV parcel and conduct the required environmental review. The BMKV parcel would be included as a phased addition to the wetland restoration project.
3. The Corps and the Coastal Conservancy will continue to work with and consider incorporating USFWS's suggestions during the final design process for the wetland restoration project.
4. Review of the need for and design of internal peninsulas is currently underway.
5. The draft EIR/EIS did not identify any potentially significant adverse impacts based on rates of subsidence and erosion. However, results from ongoing studies will be incorporated and addressed as part of final design. Please see responses to comments 3 and 4.
6. Please refer to Impact 8.31. The maintenance, monitoring, and adaptive management plan is included in Appendix C of the EIR/EIS. This plan provides a framework for ensuring the success of the wetland restoration project.
7. This will be considered as part of final design. Please see response to comment 4.
8. The conceptual wetland restoration plan did not contain a component that would include discharging water from the Novato Sanitary District (NSD) outfall to the wetlands. The plan assumed that the NSD outfall would remain in place and continue to discharge to San Pablo Bay. At this time, discharging the treated wastewater to the restored wetlands is speculative. It was not evaluated in the draft EIR/EIS.
9. Knowledge gained from the Sonoma Baylands project has been used to develop the Hamilton conceptual wetland restoration plan. Experience gained from the Sonoma Baylands restoration project and other tidal wetland restoration projects will be used to develop the final wetland restoration plan. The opportunity to restore wetlands at HAAF may be lost if

not pursued in a timely manner. The EIR/EIS includes sufficient information to evaluate the impacts and determine that there is a realistic chance of success.

10. Comment noted.
11. See the response addressing existing contamination at the project site in Chapter 2, “Responses to General Issues”. Information regarding monitoring of sediment and water quality has been included in Appendix C of the final EIR/EIS.
12. Benefits to the clapper rail, black rail, and salt marsh harvest mouse were described in terms of increasing coastal salt marsh habitat. The increase in this habitat type is shown in Tables 8-2 and 8-3 and Figure 3-5.
13. Impacts 8.21 through 8.26 are the same as Impacts 8.45 through 8.49. No common impacts were described in Chapter 8.
14. See response to comment 6.
15. The section “Relationship to Other Projects and Plans” in Chapter 2 of the draft EIR/EIS was included to provide a general overview of how the Hamilton wetland restoration plan is related to these other projects and plans. A reference to the USFWS 1980 Clapper Rail/Salt Marsh Harvest Mouse Recovery Plan has been added to the EIR/EIS.
16. See the response addressing existing contamination at the project site in Chapter 2, “Responses to General Issues”, which addresses responsibility for remediating contaminants before HAAF is transferred to the Coastal Conservancy. Responsibility for contaminant issues related to site activities resides with the Army.
17. See the response addressing existing contamination at the project site in Chapter 2, “Responses to General Issues”, which addresses how the asphalt parking areas at HAAF would be treated.
18. The Army recently completed an environmental assessment on remediating the perimeter drainage ditch and associated dredged spoil piles (U.S. Army Corps of Engineers 1998c). These sites are currently being remediated. The soils stockpiled on the runway will be treated onsite, found suitable for reuse, or removed before the HAAF parcel is transferred to the Coastal Conservancy. See the response addressing existing contamination at the project site in Chapter 2, “Responses to General Issues”.
19. The comment has been incorporated into the final EIR/EIS.
20. Final cleanup actions have not been determined, and it has not been determined whether any contaminants will be left onsite. See the response addressing existing contamination at the project site in Chapter 2, “Responses to General Issues”. Monitoring of the wetland restoration site is addressed in Appendix C of the final EIR/EIS.
21. The second threshold of significance is based on language in Appendix G of the State CEQA Guidelines and has not been changed.

# **Response to Comments from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service**

1. The term “wildlife habitats” in the project goals and objectives was intended to include fish habitat. The project goals and objectives have been modified to include fish habitat. It should be noted that from its inception, restoration planning at HAAF was intended to be ecosystem based and include benefits to fisheries. As noted in the comment, many aspects of the project would benefit fisheries as well as other wildlife.
2. The final EIR/EIS has been modified to describe how the wetland restoration project would benefit salmonids.
3. The agencies responsible for monitoring and adaptive management are identified in Appendix C of the final EIR/EIS.

# Response to Comments from the California Department of Fish and Game

1. The commenter notes that the California Department of Fish and Game fully supports the reuse of dredged material; in particular, the agency supports implementation of Alternative 5. The comment is noted, and no changes to the draft EIR/EIS are required.

# Response to Comments from the California State Lands Commission

1. The monitoring and adaptive management plan is contained in Appendix C of the final EIR/EIS. The plan is a conceptual framework that may be refined further in accordance with final design and engineering.
2. See the responses addressing existing contamination at the project site and suitability of dredged material in Chapter 2, "Responses to General Issues". The Coastal Conservancy would not accept transfer of the property and the project would not be undertaken if the site is not remediated to a level suitable for wetland restoration.
3. The SLC will be provided the opportunity to review the requested documents.
4. The executive summary of the Hamilton Wetlands Conceptual Restoration Plan is included as Appendix A of the final EIR/EIS.
5. Table 10-2 has been amended to show the reported concentrations in parts per billion.

## Response to Comments from the Port of Oakland

1. The Corps and the Coastal Conservancy understand the Port of Oakland's concern about liability. However, liability in and of itself is not considered a CEQA or NEPA issue. NEPA and CEQA are focused on identifying impacts on the environment and, if necessary, mitigation measures to reduce or eliminate these impacts. The Corps, Coastal Conservancy, and Port of Oakland are addressing liability through a separate process. See the response addressing suitability of dredged material in Chapter 2, "Responses to General Issues".

The Coastal Conservancy will not accept transfer of the property until all required remediation is undertaken by the Army. The project sponsors intend to accept only cover material (i.e., dredged material that does not have levels of contaminants that could result in toxicity or other adverse impacts). The suitability of dredged material for the project site will be determined through the existing testing and suitability processes used by the state and federal agencies charged with approving disposal of material dredged from San Francisco Bay. These agencies are the RWQCB, BCDC, EPA, and Corps.

These agencies have established the DMMO, which makes joint recommendations on the suitability of dredged material. The agencies require dredging project applicants to sample and test sediments proposed to be dredged for chemical constituents of concern and for toxicity, using protocols acceptable to the regulatory agencies. The adequacy of the sampling and testing is evaluated by the DMMO, which then reviews the test results to evaluate the acceptability of the dredged material for disposal at proposed sites in bay, ocean, wetland, or upland environments.

The RWQCB has developed guidelines for acceptable contaminant levels for use in wetland projects (Wolfenden and Carlin 1992). The DMMO will use these guidelines to assess the suitability of any dredged material proposed for use at the project site. The Wolfenden and Carlin guidelines specify slightly differing criteria for cover material that can be used anywhere in a wetland and noncover material that needs to be properly buried; only material appropriate for cover as determined by the DMMO would be accepted for use at the project site. Separate tests of contaminant leaching are used to evaluate the acceptability of material for upland disposal. Only material found suitable by the DMMO would be used as part of the upland component of the project.

2. Although not covered by CERCLA, all contaminants of concern are addressed through the state oversight process and will be cleaned up to a level that would be protective of a wetland restoration project. See the response addressing remediation of contaminants in Chapter 2, "Responses to General Issues".
3. Asphalt contains high-molecular-weight PAHs, which are the least toxic fraction of this class of chemicals. Furthermore, these PAHs are tightly bound in the matrix of the asphalt. For these reasons, PAHs in weathered asphalt do not pose a significant toxicity risk, and asphalt can be used widely in the environment with little concern. The asphalt at the wetland project site would be buried under sediments and therefore would not be exposed to substantial tidal action, which could grind up the asphalt and increase its availability to organisms in the environment. In areas where asphalt would interfere with tidal channels forming on the site, the asphalt would be removed before dredged material is placed.

Because of the depth of sediments to be placed over the tidal portions of the site, ingestion or disturbance of marine sediments by benthic organisms also is not expected to be a problem. More than 6 feet of dredged material would be placed, on average, over the existing substrate and asphalt in the tidal areas. Sedimentation would then increase the depth of cover. Therefore, even if the asphalt were broken up substantially because of the weight of emplaced dredged material and presented additional surface area as a result, it would not be exposed to benthic organisms.

The only remaining contaminant pathway is through groundwater. High-molecular-weight PAHs have very low solubility, particularly in the low-oxygen groundwater environment in the marsh. Therefore, there is little risk that these tightly bound PAHs in the asphalt would contaminate groundwater, even if the asphalt cracks and presents more surface area because of the weight of emplaced dredged material.

4. See response to comment 1 regarding liability and response to comment 3 regarding asphalt.
5. See the response addressing existing contamination at the project site in Chapter 2, "Responses to General Issues". The environmental review of new criteria will be conducted through the Army's BRAC and FUDS processes. See also the response to comment 1.
6. The focus of the site investigation has been sites where Army activities resulted in contamination. The farming activities that occurred at the site before the Army began constructing and operating HAAF in the 1930s are unlikely to have resulted in contamination of the wetland restoration site. Soil samples taken at the site by the Army to establish site background levels are consistent with this analysis and indicate that the substrate is compatible with implementation of the wetland restoration project (IT Corporation 1998).
7. See responses to comments 1 and 5. Thresholds of significance were identified on page 10-6 of the draft EIR/EIS. Water quality is not expected to be adversely affected by the placement of dredged material on the site because the material would be of cover quality.
8. Alternative 5 is currently designed as three separate areas: the HAAF parcel seasonal wetland area, the HAAF parcel tidal wetland area, and the SLC parcel tidal wetland area. Although these areas are designed to be hydraulically separate during construction, there are no current plans to specifically ensure that material from different dredging projects is not comingled. All material would be tested, and only material that passes testing would be accepted at the project site. This testing will ensure that accepting material from different dredging projects would not result in a mixture that becomes unacceptable for use at the project site.
9. The port's concern to reduce its potential liability for material placed at the project site is not an environmental impact of the project and is not properly addressed as a CEQA or NEPA issue. Specific impacts that may result from placing dredged material should be identified and addressed through the regulatory process, which would include, for example, establishing appropriate discharge limitations and methods to achieve those limitations, as at other aquatic and upland disposal sites.

# Response to Comments from the San Francisco Bay Trail

1. The final EIR/EIS has been modified to incorporate the comment.
2. Although the Bay Trail Project has adopted the existing outboard levee at HAAF as the only north-south trail alternative to the Northwestern Pacific Railroad right-of-way, this alignment is not consistent with the Hamilton Reuse Plan adopted by the City of Novato in November 1996 and other government actions relating to the base closure process. The reuse plan exclusively designates the airfield parcel for wetland restoration and recognized only the New Hamilton Partnership levee as part of the Bay Trail. However, in a letter to the Coastal Conservancy dated October 15, 1998, the City of Novato states that it has designated the New Hamilton Partnership levee, which will be immediately adjacent to the restored wetlands, for public access as part of the Bay Trail in the Hamilton Reuse Plan. The City further commits itself to seeking a Bay Trail through the Phase II active recreation area to link the New Hamilton Partnership levee with the Bay Trail alignment to the north. For these reasons, the Coastal Conservancy believes the impact of the wetland restoration project on the Bay Trail to be less than significant.

The Coastal Conservancy is committed to continue working with the Bay Trail Project staff to ensure the continuity of the proposed trail and identify and secure alternative trail alignments. This planning effort is separate from the Hamilton Wetlands Conceptual Restoration Project. The discussion of the Bay Trail in Chapter 9 of the EIR/EIS has been expanded to indicate alternative alignments to the Spine Trail to ensure this continuity and to describe the current uncertainty of using the Northwestern Pacific Railroad right-of-way.

3. The suggested text changes have been incorporated into the final EIR/EIS. Figure 9-1 has been modified to show the north and south connections of the Spur Trail alignment.

# Response to Comments from the Solano County Department of Environmental Management

1. The EIR/EIS fully complies with all requirements of CEQA and NEPA. No environmental analysis has been deferred, all significant impacts are identified, and potential mitigation measures are provided where feasible.

The discussion related to Impact 4.3 on page 4-9 of the draft EIR/EIS indicates that, without the implementation of standard engineering design and construction practices, there would be some increased risk of levee instability and potential slope failure. Chapter 3, “Project Alternatives under Consideration”, fully describes the proposed project, which includes investigating parameters that could affect levee stability (e.g., page 3-9), and states that the Coastal Conservancy and the Corps are committed to implementing appropriate design and construction techniques and to monitoring and inspecting the site following construction. No available information indicates that the proposed levees cannot be adequately designed and constructed using standard techniques. Levees are common features throughout the bay region, and levee failures are rare. No information is provided in this comment to indicate otherwise. See the response addressing levee stability and construction standards in Chapter 2, “Responses to General Issues”.

Regarding Impact 5.5, National Pollutant Discharge Elimination System (NPDES) requirements and state water quality standards are designed to protect surface waters from pollutant sources. Compliance with these standards is a prerequisite to project implementation and operation. It is reasonable to rely on compliance with existing environmental regulations and to assume that compliance with these standards sufficiently protects the environment. Extensive monitoring is proposed and would be required, and such monitoring would detect any violation or potential violation of NPDES permit requirements and state water quality standards. If any such violations are identified, the project would not be permitted to operate until remedial actions to resolve the violation are implemented. No evidence indicates that water quality standards and NPDES permit requirements cannot be met, and these standards and requirements are considered to be protective of water quality. Therefore, no significant impacts are identified.

The draft EIR/EIS appropriately assumes that the Army will continue to comply with all legal requirements and provide appropriate levels of cleanup of all hazardous waste sites in accordance with applicable state and federal laws. If, for some reason, the cleanup is not performed, the proposed project would not be implemented.

Mitigation Measure 8.4 does not rely on “unknown mitigation measures to be devised by other agencies”. It specifically states:

At the end of the initial 5-year monitoring period, if the development rate of the coastal salt marsh and the habitat quality of establishing coastal salt marsh do not appear sufficient to restore 6 acres of contiguous, in-kind habitat within 10 years of project implementation, the Coastal Conservancy or successors in interest will review the project with representatives of the Corps, DFG, and USFWS to determine if additional actions or project modifications are necessary to ensure that the functions and values of the affected coastal salt marsh habitat will be replaced.

This mitigation measure commits the Coastal Conservancy or its successor in interest to review the adequacy of mitigation implementation and take remedial action as necessary and as determined by the appropriate regulatory and resource agencies. The maintenance, monitoring, and adaptive management plan included in Appendix C of the final EIR/EIS is anticipated to have a high likelihood of success; however, if mitigation goals are not achieved, additional remedial actions may be necessary. Attempting to predict what, if any additional measures may be required would be speculative at this time, and no evidence suggests that there are significant constraints to implementing remedial actions to achieve mitigation goals if such actions are required in the future. Therefore, this mitigation measure is considered appropriate to reduce potential impacts to less-than-significant levels.

Similarly, Mitigation Measure 8.15 recognizes that burrowing owl populations on the site can vary widely from year to year and provides flexible mitigation to address potential impacts on burrowing owls if owls are found onsite at the time of construction. This mitigation measure also offers examples of typical and successful practices that can be implemented to reduce impacts to less-than-significant levels if such measures are required based on survey results. The mitigation measure is considered appropriate to reduce potential impacts to less-than-significant levels.

## Response to Comments from City of Novato (September 14, 1998)

1. The purpose of a review of alternatives is to determine whether there is an environmentally preferred alternative to the proposed action and one that substantially meets the project objectives. Section 15126(d) of the State CEQA Guidelines states that an EIR should “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. . .”. The objectives of the Hamilton wetland restoration plan are described on pages 2-2 and 2-3 of the draft EIR/EIS. The HAAF or SLC parcel could be used for purposes other than the restoration of wetlands; however, these uses would not meet the project objectives. The alternatives evaluated in the draft EIR/EIS are projects that could feasibly accomplish the same basic purposes as the proposed project.

As indicated on page 3-28 of the draft EIR/EIS, restoration of the BMKV parcel in combination with the HAAF and SLC parcels was included for information only and is not part of the Coastal Conservancy’s or Corps’ action. Restoring wetlands on the BMKV parcel would be subject to project-specific environmental documentation. However, alternative uses other than wetland restoration have been proposed recently for the BMKV parcel. A development proposal for the BMKV parcel is being evaluated by Marin County.

2. The Coastal Conservancy and the Corps prepared a scoping report before preparation of the draft EIR/EIS. The scoping report contains comments received during the scoping process and describes how those comments would be addressed in the draft EIR/EIS. The scoping report is available on request from the Coastal Conservancy.
3. Pages 10-3 and 10-4 of the draft EIR/EIS include information regarding cleanup activities for the SLC parcel. DoD is responsible for investigating the potential for contamination to be present at the SLC parcel and remediating toxic or hazardous substances from the SLC parcel through the FUDS program; remediation is also the responsibility of the Army under BRAC. The environmental impacts associated with remediating toxic or hazardous substances found on the SLC parcel would be addressed by DoD before work could begin. In addition, the project description has been expanded to include a more detailed discussion of the BRAC and FUDS cleanup efforts on the HAAF and SLC parcels.
4. Figure 9-2 indicates the location of surrounding land uses, including the NSD outfall pipeline and dechlorination plant and Landfill 26. The impact analysis describes potential impacts on these and other surrounding land uses.

The Landfill 26 mitigation site on the HAAF parcel was created by the Army as mitigation for the closure of Landfill 26, west of the HAAF parcel. As described on page 8-3 of the draft EIR/EIS, the 12.4-acre mitigation site is considered a jurisdictional wetland by the Corps. Impact 8.8 describes impacts of the wetland restoration project on the Landfill 26 wetland mitigation site.

5. A legend has been added to the figures mentioned in the comment. The wetland restoration project does not include a levee segment K-J. The area between points K and J is the uplands of

Long Point. Levee segments K-L and J-I tie into Long Point. The length of the levee segments indicated in Figures 3-8 and 3-13 have been corrected.

6. See the response to the general issue regarding flooding and drainage on surrounding parcels. In addition, Chapter 3, "Project Description", has been modified to include a more detailed discussion of how the drainage and flooding issues on surrounding parcels will be addressed by the Army before the HAAF parcel is transferred to the Coastal Conservancy. The Army must address drainage issues as part of the base closure process, regardless of whether the Hamilton wetland restoration project proceeds.

The Coastal Conservancy has requested that the Army investigate the manner in which its maintenance of the HAAF property may have provided incidental drainage or flood control benefits to adjacent properties and resolve to the satisfaction of those property owners the impacts that may result from base closure. The EIR/EIS does not include an impact assessment of the drainage improvements necessary to allow the HAAF parcel to be transferred from the Army to the Coastal Conservancy because these actions would be undertaken by the Army before transfer. In addition, the Army would undertake analysis of environmental impacts, to the extent necessary, in environmental documentation supporting the Army's action of closing and disposing of the HAAF. Satisfactory resolution of these issues is a condition of transfer of the HAAF parcel to the Coastal Conservancy. If the Coastal Conservancy does not accept transfer of the property and the project does not go forward, the Army may choose to implement these actions, or it may instead leave the existing drainage and flood control characteristics of the property unchanged.

7. Electric power for the off-loaders typically would be provided from the shore to avoid air quality and noise impacts and for economic efficiency. The off-loaders typically would have a small diesel generator onboard to provide service power in the event of a loss of shore power. The off-loader for the Port of Oakland 42-foot project (Sonoma Baylands and Galbraith sites) was operated by shore power. The description of Alternatives 3 and 5 has been expanded to include a more detailed discussion of operation of the off-loaders.
8. Dredged material would be mixed with "process water" from San Pablo Bay at the off-loader and transported to the site as a slurry. The process water would be contained in each of the three construction areas of the site and tested before and during discharge to San Pablo Bay. Control of the process water would be achieved by installing weirs and discharging water from the upper surface of the ponding area to San Pablo Bay.

The use of weirs would help to ensure that the process water meets the waste discharge requirements that would be issued by the San Francisco Bay RWQCB. Water quality criteria that would be monitored daily include salinity, temperature, pH, dissolved oxygen, suspended solids, and sulfides. Weekly and monthly monitoring typically includes testing for pesticides and heavy metals and, in some cases, bioassay testing.

9. The levees would be monitored in accordance with the monitoring and adaptive management framework provided in Appendix C of the final EIR/EIS.
10. The reference to Alternative 3 has been changed to Alternative 5.
11. See response to comment 5. Fill would be placed along levee segment K-L to create the wildlife corridor. The length of this levee segment is 4,800 feet. The description of constructing

levees and internal peninsulas on pages 3-24 and 3-25 of the draft EIR/EIS has been modified.

12. See the response to the general issue regarding levee construction and design.
13. Levees would be monitored according to the monitoring and adaptive management framework outlined in Appendix C of the final EIR/EIS.
14. See the response to the general issue regarding levee construction and design.
15. See the response to the general issue regarding levee construction and design. When the draft EIR/EIS was prepared, it was thought that the levees would be constructed to withstand the maximum credible earthquake. This is no longer expected to be the case, and the reference has been removed from the final EIR/EIS.
16. These measures have already been incorporated into the project description.
17. See the response to the general issue regarding levee construction and design.
18. See response to comment 6.
19. The RWQCB's Basin Plan describes water bodies as geographic segments. The water quality of San Pablo Bay is inadequate for some beneficial uses.
20. The Army has recently constructed a berm to control overflow from Pacheco Creek to Landfill 26. Currently, water from Pacheco Pond is not discharged to the HAAF parcel. See response to comment 6.
21. The hydraulic conditions of the wetland restoration project would be monitored in accordance with the monitoring and adaptive management framework provided in Appendix C of the final EIR/EIS. The tidal channels that would connect the wetland restoration project with San Pablo Bay are designed to adequately exchange water and maintain water quality. Information from Sonoma Baylands and other natural tidal wetlands was evaluated as part of the design process.
22. The analysis of the potential for reentry of NSD discharge to the proposed wetlands does not assume that no other contaminated sources are present in the bay. The water quality of San Pablo Bay limits its use for some beneficial purposes, but it is suitable for tidal wetland restoration, as demonstrated by existing San Pablo Bay marshes.
23. The second bullet on page 5-18 of the draft EIR/EIS refers to surface waters on the site during the construction phase. See response to comment 8.
24. A revegetation and planting plan for the site would be prepared during final design. In addition, tidal habitat vegetation is expected to establish naturally from nearby seed sources.
25. Any dredged material to be dried would be tested for upland use. See the response addressing suitability of dredged material in Chapter 2, "Responses to General Issues".

26. The water quality monitoring program for a project of this type is typically based on waste discharge requirements (WDRs) that would be issued by the San Francisco Bay RWQCB. These WDRs would be based on the final project design and the type of dredged material that would be used at the site. A specific water quality monitoring plan cannot be prescribed at this time. Water quality monitoring is included in the monitoring and adaptive management framework provided in Appendix C of the final EIR/EIS.
27. Tidal prism is the volume of water that enters into a site or a certain area for a given tidal influx.
28. The analysis of hydraulic impacts does not include an evaluation of persistence of internal peninsulas. The last bullet on page 6-5 of the draft EIR/EIS has been deleted.
29. The draft EIR/EIS adequately addresses the impacts of operating the deepwater off-loader. The Hamilton Wetlands Conceptual Restoration Plan described four options for delivering dredged material to the HAAF and SLC parcels, including a shallow-water off-loader without the need for dredging a channel to the off-loader. The final EIR/EIS has been expanded to include evaluation of a shallow-water off-loader. No significant adverse environmental impacts were identified.
30. The project description has been modified to include a discussion of the BRAC cleanup process for the HAAF parcel and the FUDS cleanup process for the SLC parcel.
31. No potential for land use conflicts associated with flooding issues has been identified. The project description has been modified to include information on how the Army will address flooding and drainage issues on surrounding parcels before project implementation. Once these flooding and drainage issues have been addressed by the Army, the project would not result in any significant adverse changes in regional drainage characteristics.
32. The project description has been modified to include a discussion of the BRAC cleanup process for the HAAF parcel and the FUDS cleanup process for the SLC parcel. Remediation is the Army's responsibility as part of the base closure process. The Army will disclose any environmental consequences of its cleanup activities in a separate document.
33. This conclusion on page 13-7 of the draft EIR/EIS was an inadvertent typographical error and has been corrected in the final EIR/EIS.
34. Page 1-5 of the draft EIR/EIS states that the project would not generate population or demand for housing and would create only a minor amount of construction employment. Therefore, the project would not result in growth-inducing impacts.

## Response to Comments from City of Novato (September 15, 1998)

1. Access to the HAAF parcel is provided along Aberdeen Road through the GSA Phase II property, which is slated for conveyance to the City. The Coastal Conservancy requested that the federal government retain easements for access to the HAAF parcel and convey the easements to the Coastal Conservancy as part of the transfer of the HAAF parcel. Because the existing alignment of Aberdeen Road would conflict with the proposed development of the GSA Phase II property, the Army and the Coastal Conservancy have agreed that the easement should include a right to relocate and reconstruct the road along an alternative alignment at no cost to the Coastal Conservancy or the wetland restoration project. Establishing an alternative alignment would provide access to the wetland restoration site and allow development of the GSA Phase II property to go forward.

The Army would design and reconstruct the road in partnership with the City. The roadway would be designed and constructed to reduce potential impacts on the new development and proposed recreation and open space areas. The Army has indicated that impacts of the reconstruction project would be evaluated by the Army before transfer of the HAAF parcel to the Coastal Conservancy (Appendix B of the final EIR/EIS).

The draft EIR/EIS does not specifically address impacts associated with use of the proposed access route. It does, however, evaluate impacts on transportation, noise, and air quality associated with construction of the wetland restoration project. As indicated on page 11-3 of the draft EIR/EIS, the wetland restoration project would generate approximately 38 trips per day during the construction phase (i.e., 15 morning trips to the project site, 15 evening trips from the project site, and eight lunch-hour trips). Trips to the site after construction is completed would occur infrequently and would be associated with management activities. The use of the new roadway would not affect the proposed development of the GSA Phase II property because most trips would occur during the construction phase and would be made during business hours. The number of trips over the new roadway would not substantially change the noise or air quality characteristics of the proposed development.

2. The access easement to the NSD facilities would be provided over the perimeter levee between the HAAF parcel and Pacheco Pond and along the perimeter levee between the HAAF and BMKV parcels.

## Response to Comments from the Novato Sanitary District

1. An access route to the NSD facilities through the wetland restoration site would be provided on the perimeter levee between the HAAF parcel and Pacheco Pond and on the perimeter levee between the HAAF and BMKV parcels.
2. The drainage weirs through the bayward levee are designed to ensure that the dredged material remains wet, to control the discharge of process water to San Pablo Bay, and to provide drainage from the HAAF and SLC parcels. The elevation of the weirs would be set to ensure that levees would not be overtopped.
3. The 20-foot-wide NSD easement was described on page 9-7 of the draft EIR/EIS. Pages 3-18, 3-19, 3-23, and 3-24 of the draft EIR/EIS provide information regarding engineering considerations for the NSD outfall pipeline and perimeter levee. Design specifications to protect the pipeline would be developed during final design. The Coastal Conservancy and the Corps are committed to working with the NSD to ensure that levee construction and settlement do not adversely affect operation of the pipeline.
4. Figure 3-11 shows the approximate alignment of the pipeline between the hydraulic off-loaders and the restoration site. The precise alignment of the pipeline would be determined during final design of the wetland restoration project; however, the onshore dredged material pipelines would be placed far enough away from the NSD outfall pipeline and diffuser to ensure that the operation of the pipeline and diffuser would not be affected.

As indicated on pages 3-18 and 3-19 of the draft EIR/EIS, the NSD outfall pipeline would be modified to ensure that reconstructing perimeter levees and lowering the bayward levee would not damage the outfall pipeline.

5. As indicated in the project description of the draft EIR/EIS, Alternatives 4 and 5 include the assumption that the NSD dechlorination plant would be moved offsite. If the dechlorination plant is not moved, the Coastal Conservancy will coordinate with the NSD to ensure that the plant is adequately protected from flooding and that access to the plant is maintained. This coordination would occur as part of the final design process for the wetland restoration project.
6. Chapter 9, "Land Use and Public Utilities", has been modified to include the requested information regarding easements.

## Response to Comments from the Catholic Youth Organization and the St. Vincent's School for Boys (James Stark)

1. As described in Chapter 3, "Project Alternatives under Consideration", the proposed project and alternatives include provisions to ensure the long-term stability of the perimeter levee and measures to reduce the potential for wave-induced erosion. As stated on page 6-9 of the draft EIR/EIS, a properly designed and executed monitoring and repair program, in conjunction with properly designed levees and levee erosion protection measures, would prevent any significant impact. Therefore, the draft EIR/EIS finding that this potential impact is less than significant is appropriate. Monitoring would be conducted by the Coastal Conservancy or its successor in interest, and specific responsibilities would be provided in the mitigation monitoring and reporting plan to be approved under CEQA at the time of project approval. See the response addressing levee stability and construction standards in Chapter 2, "Responses to General Issues". A description of the monitoring program for perimeter levees is included in Appendix C of the final EIR/EIS.

The potential effects of burrowing animals on levee erosion and stability are a concern for all levees constructed throughout the region, and standard measures would be implemented to ensure that levee stability is not compromised by burrowing animals. Such measures could include selective removal of individual animals, which can be accomplished without conflicting with the overall program goal of creating valuable habitat for specific species.

2. No significant groundwater impacts on surrounding properties are anticipated. The overall groundwater gradient is toward San Pablo Bay (easterly) with or without the project. Localized flow from the St. Vincent's property also may be toward the north because its elevation is higher than that of the HAAF parcel. Groundwater is expected to generally follow the surface topography. Although the surface water elevation likely would be increased in the project area when levees are breached, the direction of groundwater flow would remain unchanged.

In addition, as described on page 5-9 of the draft EIR/EIS, the fine-grained soils in the project area exhibit very low transmissivity; groundwater movement is therefore slow. Localized tidal fluctuations are more likely to have an impact on groundwater conditions than the increase in surface water elevation from the project.

Groundwater elevations should differ little from the dry season to the wet season. During the wet season, the groundwater table would likely be higher although all areas would be affected equally with little overall net change.

3. The depth of the keyway would vary depending on the extent of granular near-surface fill below the main body of the proposed levee. The depth of the keyway would be sufficient to ensure that through-levee seepage is minimized and would be determined during final design. No evidence indicates that this measure would not be sufficient to reduce the potential for levee seepage to a less-than-significant level.

4. Surface water hydrology issues, as they relate to potential effects on the lands of St. Vincent's School for Boys, Las Gallinas Valley Sanitary District, and other surrounding lands, is a condition of the acceptance of the HAAF parcel by the Coastal Conservancy from the Army. See the response addressing flooding and drainage of surrounding parcels in Chapter 2, "Responses to General Issues".
5. This commenter provides a thorough description of existing development and uses of the subject property. However, no new or additional land use impacts are identified, nor are any expected to result. No additional analyses are necessary.

## Response to Comments from the Sierra Club Marin Group

1. The project description has been modified to include an expanded discussion of the BRAC and FUDS cleanup processes. See the response addressing existing contamination at the project site in Chapter 2, “Responses to General Issues”.
2. The mitigation measures recognize that monitoring the success of the restoration project does not ensure that the project would offset the small losses of habitat and species. The measure, however, calls for an adaptive management approach because it is inherently very difficult to predict what additional mitigation would be required if the small losses are not offset. If monitoring indicates that restoration is not successful, management objectives and techniques could be modified or actions to correct shortfalls implemented. Actions could include vegetation management and enlargement of tidal channels. The performance standards identified in the mitigation measure are adequate under CEQA and NEPA. Appendix C of the final EIR/EIS provides additional information regarding monitoring and adaptive management.
3. Seasonal wetlands and grasslands would need to be planted to ensure that desirable plant species occupy the site. The timing for planting of seasonal wetlands and grasslands would be determined during final design.
4. See response to comment 7 by the Environmental Forum of Marin.
5. See the response addressing flooding and drainage of surrounding parcels in Chapter 2, “Responses to General Issues”. An updated discussion of flooding and drainage has been added to the project description. The wetland restoration project is not expected to change the hydrologic characteristics of surrounding drainages because the restoration project would not go forward until the flooding and drainage issues have been addressed by the Army. Potential impacts on the New Hamilton Partnership levee as a result of placing fill along the airfield side of the levee were addressed in Impact 4.6 on page 4-11 of the draft EIR/EIS. Potential impacts on the capacity of the New Hamilton Partnership pumping system were addressed in Impact 5.1.
6. The Hamilton Wetlands Conceptual Restoration Plan builds on the experiences of the Sonoma Baylands project regarding internal peninsula design, breach size and locations, and use of dredged material. It is not necessary for the draft EIR/EIS to specifically identify this issue.
7. Refer to the monitoring and adaptive management framework provided in Appendix C of the final EIR/EIS.

# Response to Comments from the Marin Conservation League

1. CEQA and NEPA address impacts on the existing environment. Evaluation of the impacts of adjacent land uses on species that may occupy the wetland restoration site is not required. However, the Coastal Conservancy intends to limit public access to only the western side of the wetland restoration site. Methods to control trespassing by people and pets on the remaining portion of the wetland restoration site would be addressed as part of final design. The Coastal Conservancy is working with trail stakeholders to resolve these issues.

# Response to Comments from the Environmental Forum of Marin

1. The project description has been updated to include a description of the BRAC and FUDS cleanup processes. See the response addressing existing contamination at the project site in Chapter 2, “Responses to General Issues”.
2. It is agreed that disturbed earth in an upland setting would be quickly and heavily colonized by non-native plant species and that native plants would need to be deliberately established on the site to minimize this problem. Regarding the species mentioned, occasional pampas grass seedlings can be expected to colonize the site, but individual plants can be easily removed manually, as has been done at the Sonoma Baylands site. Occasional broom seedlings can be expected to colonize as well but can be removed manually as they occur; larger plants may need to be spot-sprayed. Iceplant is not expected, but seedlings can be removed easily. Arundo may be a problem in seasonal wetland areas, but seedlings can be easily removed; older plants may need to be spot-sprayed. A specific planting plan would be developed during final design. In addition, the Coastal Conservancy is developing a monitoring and adaptive management plan to address these issues (Appendix C of the final EIR/EIS).
3. See the monitoring and adaptive management framework provided in Appendix C of the final EIR/EIS.
4. See response to comments 1 and 28 of the Marin Audubon Society.
5. Vegetation types for the upland areas would be determined during final design.
6. The project would enhance wildlife habitat values compared to existing conditions, and wildlife movement would not be hindered. A corridor along the eastern side of the New Hamilton Partnership levee would allow wildlife to move through the wetland restoration area from adjacent properties to the north and south.
7. As indicated on page 3-10 of the draft EIR/EIS, public access to the entire watershed restoration site would not be allowed. Public access would be permitted along the western edge of the project because a spur of the proposed Bay Trail could be routed along the top of the New Hamilton Partnership levee. Ways to control trespassing in other areas of the wetland restoration site in order to protect sensitive habitat areas would be addressed as part of final design.

## Response to Comments from the Citizens Committee to Complete the Refuge

1. The draft EIR/EIS has identified the same concern expressed in this comment and proposes both a monitoring plan and final modeling to ensure that the tidal channels are appropriately sized. Site-specific modeling is recommended as part of final design to determine appropriate channel dimensions. Monitoring would be conducted to ensure project success. Final project design would draw on lessons learned at Sonoma Bayland and other wetland restoration projects. Final design also would consider the adequacy of channel dimensions for initial and equilibrium tidal prisms.
  2. The conceptual plan has been incorporated by reference, as stated on page 3-3 of the draft EIR/EIS.
  3. This comment addresses project design rather than significant environmental impacts on the existing environment. The concern is noted for the final design of the restoration plan.
  4. The details of the monitoring plan will be developed in cooperation with appropriate agencies as noted in the mitigation measure.
  5. Mitigation Measure 6.3, which calls for a quantitative assessment of subtidal channel shear stress and resultant subtidal channel widening, is intended to ensure adequate tidal flow to maintain, and potentially enlarge through tidal scour, the subtidal channel cross-sectional area. It would involve:
    - ◆ obtaining several undisturbed cores of the tidal muds to determine critical shear stress for particle and mass erosion of the cohesive muds (critical shear stress of muds is a function of the degree of consolidation, the clay mineral types, and other geochemical factors, not purely a function of grain diameter, as it is for noncohesive sands and gravels) and
    - ◆ completing a two-dimensional (depth-averaged) hydrodynamic analysis of the proposed tidal wetlands and tidal mudflats near the tidal wetlands.
- The modeling analysis would determine if adequate conveyance is provided in the entrance channel and subtidal mudflat channel to scour the cohesive bay muds. The analysis completed to date has not included the effects of the mudflat entrance conditions, and thus neglects a critical link in the system. Adequate flow must be provided over the mudflat (through subtidal mudflat channels) to reach the outboard marsh entrance channel. If the entrance and mudflat channel are too small, the tidal flushing and sediment input to the wetland would be limited and the marsh plain would not develop as projected. This mitigation measure would take 8–12 weeks, rather than years, to complete. These clarifications have been made to the EIR.
6. The comments are appreciated, but because they are not specifically related to the Hamilton Wetland Restoration Plan EIR/EIS, they are not responded to in this final EIR/EIS. See the final EIR/EIS of the Long-Term Management Strategy project, released to the public on October 16, 1998, for a response to those comments.
  7. Comment noted.

# Response to Comments from the Marin Audubon Society

1. Page 2-3 (fifth bullet) of the draft EIR/EIS states that one of the project objectives is to establish upland habitat along the perimeter of the wetland restoration areas to serve as a buffer against disturbances that may be associated with adjacent land uses. These perimeter buffer lands, however, are also expected to function as refuge and foraging habitat and travel corridors for some species. The draft Hamilton Wetlands Conceptual Restoration Plan established a target to restore 20% of the project area as nontidal habitat, including uplands. The area of upland estimated to be restored (Table 8-2) is the portion of the project area expected to be above the elevation of extreme spring high tides.

Figures 8-3 through 8-5 and 8-9 through 8-11 show the location of approximately 16 acres of grassland habitat that would be restored at higher elevations behind the panhandle levee under Alternatives 2 and 4 (i.e., the natural sedimentation alternatives). Grassland also would be restored under all project alternatives along levee slopes and margins. The narrow bands of grassland that are expected to establish on and adjacent to levees are too narrow to be illustrated at the scale of the alternative plan figures (Figures 8-3 through 8-14).

2. A rehandling facility is not planned for the Hamilton wetland restoration project. Some dredged material would be rehandled at the project site; however, this material would be used onsite.

A likely source of dredged material would be the Oakland Harbor navigation improvement project; however, other sources of dredged material for the wetland restoration project could be used and were indicated on page 3-15 of the draft EIR/EIS. The list does not preclude the use of dredged material from other dredging projects.

3. Information on the size of the pilot channels and the levee breaches for the HAAF and SLC parcels is included on page 3-20 of the draft EIR/EIS. Figures 8-3, 8-6, 8-9, and 8-12 of the draft EIR/EIS have been modified to show the approximate location of the levee breaches and the pilot channels. Information from the Sonoma Baylands project was used to develop the conceptual restoration plan.
4. Impacts on water quality associated with formation of acid-sulfate soils is addressed on page 5-17 of the draft EIR/EIS. For the tidal wetland restoration areas, the dredged material should be kept wet until tidal action is introduced. This would be accomplished by controlling water levels at the restoration site through the use of weirs located on the bayward levees.

Project design is based on past tidal wetland restoration projects, including the recent Sonoma Baylands project, and the lessons learned from other projects. For example, the Sonoma Baylands project design relies on natural scouring to open tidal connections through the marsh outboard at the site, a process that will take several years. At Hamilton, channels would be opened through the outboard marsh to ensure adequate tidal exchange when the levees are breached.

For the seasonal wetlands, the dredged material would be placed to accommodate seasonal wetting and drying cycles. During construction of the seasonal wetlands, the dredged material may be kept wet to limit the creation of wind-blown dust. This may be accomplished by flooding, using a temporary sprinkler system, or using other methods. If acid-sulfate soils do form as a result of

placing dredged material on the site, they probably would be rapidly leached, resulting in a slightly longer time necessary to reach the restoration targets.

5. The width of the perimeter levee (Figure 3-9b) in the panhandle areas is 196 feet. The text on pages 3-9, 3-14, 3-20, and 3-25 of the draft EIR/EIS has been modified to indicate that the levee is approximately 200 feet wide; however, the final width of the levee would be determined as part of final design. The design and width of the wildlife corridor were determined based on the goal of maintaining a viable corridor while compensating for subsidence and erosion caused by wave action. The purpose of the intertidal bench is to protect the perimeter levees from water erosion.
6. Although the alternatives evaluated in the draft EIR/EIS did not include one involving direct discharge to the restored wetlands, this option could be considered as part of some future action. The environmental impacts of changing the discharge point from San Pablo Bay to the restored wetlands would be evaluated in a separate environmental document. The Coastal Conservancy is working with RWQCB and NSD to explore this possibility.
7. See response to comment 1.
8. The wildlife corridor is wider than the intertidal bench because it is intended to allow wildlife to travel along it. The purpose of the intertidal bench is to create a gradual transition zone between the upland and the marsh plain. Because the bench is much lower and is nearly all intertidal, it would not serve as a corridor for uplands wildlife during high tides. The New Hamilton Partnership levee wildlife corridor is needed to connect terrestrial habitats to the north and south through urban development to the wetland restoration project site. Given existing land uses and adjacent parcels, a corridor is not needed on the northern perimeter levee.
9. The comments are noted and will be considered during preparation of the planting plan to be developed as part of the final design of the wetland restoration project. Dilapidated buildings would be removed from the project area, removing nesting habitat for swallows. Loss of swallow habitat, however, was not considered a significant environmental impact of the project because the swallows are not considered special-status species and the loss of the buildings or the SLC parcel would not substantially reduce the swallow habitat. As part of the final design process, the Coastal Conservancy and the Corps will consider constructing structures to serve as swallow habitat.
10. See response to comment 8.
11. Ongoing monitoring of the conditions of perimeter levees would be the responsibility of the Coastal Conservancy or successors in interest.
12. Subsidence associated with placing fill on the restoration site has been anticipated in the conceptual plan, and the elevations shown in Figure 3-9 of the draft EIR/EIS take subsidence into account.

A description of the levee monitoring program is included in the conceptual maintenance, monitoring, and adaptive management plan in Appendix C of the final EIR/EIS. Methods to control public access to the restored wetlands would be addressed as part of final design. As indicated in Chapter 9,

“Land Use and Public Utilities”, public access to the wetland restoration site would be provided only on the New Hamilton Partnership levee.

13. The seasonal wetlands would be maintained as wildlife habitat through the monitoring and adaptive management plan being developed. See Appendix C of the final EIR/EIS for a review of the proposed framework. After construction, the property would be transferred to DFG or USFWS for long-term management.
14. Figure 3-4 has been modified.
15. This issue will be addressed further during final design.
16. As indicated on page 3-10 of the draft EIR/EIS, public access to the entire wetland restoration site would not be allowed. Public access would be permitted along the western edge of the project because the proposed Bay Trail is routed along the top of the New Hamilton Partnership levee. Ways to control trespassing in other areas of the wetland restoration site would be addressed as part of final design. The Coastal Conservancy will continue to work with access stakeholders to resolve these issues.
17. The discussion on page 5-5 of the draft EIR/EIS mentions the gated outlet from Pacheco Pond.
18. Chapter 8 of the draft EIR/EIS discusses the loss of freshwater habitats. An updated description of the hydrologic characteristics of surrounding parcels and their relationship to the HAAF parcel has been added to Chapter 3 of the final EIR/EIS.
19. The flood control levee between the New Hamilton Partnership development and the HAAF parcel was designed to protect the development from a 100-year flood. The levee has been subsiding and eventually will need to be raised by the New Hamilton Partnership to maintain 100-year flood protection. The schedule for raising the levee has not been determined.
20. The comment relates to questions about the final design of the restoration plan; however, it is anticipated that the existing riprap will be covered with fill material.
21. The Coastal Conservancy has assumed that drainage from Landfill 26 meets applicable water quality standards.
22. Mitigation Measure 5.1 does not “allow” additional drainage culverts from the New Hamilton Partnership development. The measure ensures that when the planned second drainage facility is constructed by the New Hamilton Partnership, the wetland restoration project would not affect the discharge capacity of the new facility. (This capacity could be affected as a result of placing fill on the eastern side of the New Hamilton Partnership levee.) It is expected that water quality from the new New Hamilton Partnership drainage facility would be similar to the quality of water discharged from the existing facility.
23. The pilot channel breach would be designed to ensure adequate tidal flow. Dimensions of the channel breach would be determined during the final design and would be based in part on lessons learned from other wetland restoration projects. Corrective action would be taken if necessary, and the type of action taken would be determined based on monitoring.

24. The project does not currently include the use of riprap.
25. Control of mosquitos as pests and potential disease vectors is within the jurisdiction of the Marin-Sonoma Mosquito Abatement District (MSMAD). A common and cost-effective method of mosquito control employed by MSMAD is to stock mosquitofish in water bodies that could produce problem numbers of mosquitos. Mitigation Measure 7.1 was not intended to advocate the stocking of mosquitofish but rather acknowledges the need for coordination between MSMAD and the Coastal Conservancy regarding mosquito control efforts, including stocking mosquitofish. If it is necessary to stock mosquitofish at project implementation, there would be no significant environmental impacts because mosquitofish are already present in nontidal water bodies in and adjacent to the project area. The fourth bullet on page 7-8 of the draft EIR/EIS has been deleted. Ultimately, the type of mosquito control used would be determined by the MSMAD.
26. Habitat distribution shown for the HAAF parcel in Figure 8-1 is derived from wetland delineation maps prepared for the HAAF reuse and disposal project. Nontidal coastal salt marsh was not identified as a wetland habitat type in that delineation. Nontidal coastal salt marsh is present on the BMKV parcel but is not shown in Figure 8-1. The figure has been modified to indicate locations of nontidal coastal salt marsh on this parcel. The boundary of the Landfill 26 mitigation site has not been mapped. Consequently, its location as shown in Figure 8-1 is approximate. The acreage of wetland and upland, including that associated with the Landfill 26 mitigation site is correctly represented in Table 8-1.
27. The habitat provided by seasonal wetlands onsite is minor relative to habitat provided by more extensive areas of seasonal wetland that pond surface water for longer periods. This assessment is presented on page 8-5 of the draft EIR/EIS and is consistent with the assessment of wildlife habitat values described for seasonal wetlands in the Hamilton Army Airfield Disposal and Reuse EIS.
28. Existing grassland consists primarily of non-native annual grasses and forbs. It is the intent of the conceptual plan that grassland be restored by establishing plant species that provide higher wildlife forage and cover values than those plant species currently dominating the site. Restoring nontidal habitats to create a mosaic pattern of uplands and wetlands is also expected to benefit a greater diversity of wildlife (i.e., species that use only upland habitats, species that use only wetland habitats, and species that require upland and wetland habitats in close proximity). Public access would be restricted as described in response to comment 16.
29. All the referenced mitigation measures serve as corrective actions to ensure that the project losses are offset. The restoration goals and objectives are different from the performance objectives of these mitigation measures. The mitigation measures for the project are intended to mitigate for losses or impacts caused by the project, and in most cases these mitigation objectives call for substantially less habitat than is predicted to result under the proposed plan.
30. State law requires that the mitigation monitoring plan be adopted before project approval. The monitoring and adaptive management plan framework is contained in Appendix C of the final EIR/EIS.

31. The Coastal Conservancy intends to continue holding meetings of the Hamilton Restoration Group to address continuing issues and to disseminate information regarding the wetland restoration project.
32. See responses to comments 29 and 31.
33. Mitigation Measure 8.6 has been revised to state that if ground disturbance to marsh vegetation cannot be avoided, the final design planting plan would include revegetation of disturbed areas.
34. The potential loss of 19.4 acres of seasonal wetlands, including the Landfill 26 mitigation wetland site, would be offset by restoration of an estimated 98.5 acres of seasonal wetland, representing a replacement ratio of approximately 5 acres of habitat restored for every acre of habitat affected by the project. The recommendation for creation of additional seasonal wetlands outside of the project area is noted.
35. See responses to comments 1 and 28.
36. Loss of grassland habitat area is not considered a significant environmental impact of the project (see page 8-16 of the draft EIR/EIS) and therefore does not require mitigation. See response to comment 1.
37. Mitigation Measure 8.10 indicates that the perimeter levee would serve as a partial barrier to visual and other disturbances associated with restoration construction activities implemented landward of the perimeter levee on rails inhabiting the marsh outboard of perimeter marsh. The mitigation measure also indicates that construction activities in the outboard tidal marsh would be limited during the clapper rail nesting period (March 15 to July 30). Mitigation Measure 8.10 has been revised to specify reference to the portion of perimeter levee adjacent to the outboard tidal marsh. It is the intent of the project that public access not be permitted in the project area during construction.
38. The Coastal Conservancy and Corps believe the period indicated in the EIR/EIS is appropriate for avoiding impacts on clapper rails. This period was based on avoiding disturbing clapper rail during the nesting period.
39. Mitigation Measure 8.11 identifies the general types of measures that could be implemented to offset potential construction impacts on special-status species if they are breeding in the project area at the time of construction. In the absence of specific restoration designs, construction schedules, and nesting survey information, specific mitigation measures cannot be identified. Consequently, the draft EIR/EIS recommends consultation with DFG to develop specific and appropriate mitigation measures (if special-status species nests are located during preconstruction surveys) when this information becomes available. Mitigation Measure 8.11 has been revised to state that if nests are located, measures would be implemented to avoid or reduce impacts.
40. Mitigation Measure 8.12 proposes, as one method to reduce or avoid impacts, excluding salt marsh harvest mice from construction corridors in occupied habitats. Mice would be released close to (no more than 20 feet from) where they were captured. Salt marsh harvest mice have been trapped and released for research projects without any apparent subsequent adverse effects

on individuals. This is a common method that has been successfully employed to avoid potential mortality of other special-status species (e.g., California tiger salamander and California red-legged frog) in project construction corridors. The mitigation measure also recommends consultation with DFG and USFWS before implementing this measure to evaluate its feasibility, its likelihood for success, and alternative measures.

41. Mitigation Measure 8.14 has been revised as described for Mitigation Measure 8.11 in response to comment 39.
42. This issue is addressed in Mitigation Measure 8.16 of the draft EIR/EIS.
43. See response to comment 24.
44. Proposed restoration of coastal salt marsh habitat includes restoration of high marsh; therefore, reference to implementation of Mitigation Measure 8.4 to offset potential effects of Impact 8.19 is appropriate. The final EIR/EIS has been revised to address other comments. Also see response to comment 24.
45. Impact 8.21 has been revised to indicate that only restoration of grassland, seasonal wetland, and brackish marsh habitats would provide suitable northern harrier nesting habitat. Because the grasslands in the project area are located along the perimeter of wetlands, they are expected to provide suitable nesting habitat for the species.
46. Impact 8.23 refers to increases in suitable waterfowl nesting habitat area. Impact 8.24 addresses increases in suitable waterfowl wintering habitat area that would be expected as a result of the project.
47. See response to comment 16.
48. Tidal and seasonal wetland habitats are expected to provide mudflat and shallow water areas (less than 6 inches deep) that would provide suitable foraging habitat for all species of migratory shorebirds.
49. The Army's record of decision on the Hamilton Army Airfield Disposal and Reuse EIS requires that threatened and endangered species be protected. Methods to control trespassing would be established as part of final design, which could include fencing. The City recently indicated that it does not anticipate allowing public access on the bayfront levee and has designated the New Hamilton Partnership levee as part of the San Francisco Bay Trail in the Hamilton Reuse Plan. See response to comment 16 and responses to comments submitted by the San Francisco Bay Trail Project.

## Response to Comments from Robert A. Farnham

1. See the response addressing flooding and drainage of surrounding parcels in Chapter 2, “Responses to General Issues”. Chapter 5 of the EIR/EIS includes a description of the perimeter levee system. The HAAF parcel will not be transferred to the Coastal Conservancy until flooding and drainage issues associated with reuse of the HAAF parcel are addressed by the Army. The restoration of wetlands on the HAAF parcel would not adversely affect the flooding and drainage characteristics of the surrounding parcels. The process for maintenance and monitoring of perimeter levees is included in the Conceptual Maintenance, Monitoring, and Adaptive Management Plan in Appendix C of the final EIR/EIS.
2. The Army is working with the property owners to verify the current drainage patterns and resolve any drainage issues before transfer. See the response addressing flooding and drainage of surrounding parcels in Chapter 2, “Responses to General Issues”. The Army has indicated that the three 30-inch culverts through the perimeter levee have been plugged.
3. The electric power line evaluated in the document is the Pacific Gas and Electric Company Ygnacio-Mare Island #2 115-kilovolt line. The line crosses the northeastern corner of the BMKV parcel. (McDonald pers. comm.)
4. The evaluation of the BMKV parcel was included for informational purposes. Use of the BMKV parcel for wetland restoration is not part of the Coastal Conservancy’s or Corps’ action addressed in this EIR/EIS. Restoration of wetlands at the BMKV parcel would be evaluated under a separate environmental review process. Impacts on perimeter levees would be addressed as part of that future process.

## Response to Comments from Jeffory Morshead

1. The Hamilton Restoration Group has provided continued public meetings for disclosure and discussions concerning the restoration project. The CEQA/NEPA process has been conducted in a public forum, including public scoping meetings and hearings on the draft EIR/EIS.

This comment refers to previous correspondence from the Port of Oakland (Port) regarding whether dredged material from the Port is suitable for placement at the Hamilton wetland restoration site. The purpose of the EIR/EIS is not to evaluate the suitability of any particular material for placement at HAAF. Staff members of the Coastal Conservancy, Corps, and Port of Oakland meet regularly to discuss project concerns. The Coastal Conservancy and Corps believe that the concern raised by the port has been addressed satisfactorily in the EIR/EIS. See the letter submitted to the Coastal Conservancy and BCDC and the Coastal Conservancy's and BCDC's response, contained in Appendix A. See also the responses addressing existing contamination at the project site and suitability of dredged material in Chapter 2, "Responses to General Issues".

2. The Hamilton Wetlands Conceptual Restoration Plan addressed the utility of using sand to construct the project and found that up to 7.7 million cubic yards could be used. The draft EIR/EIS did not identify any significant adverse impacts as a result of using this amount of sand.
3. See the response addressing existing contamination at the project site in Chapter 2, "Responses to General Issues". This general response addresses concerns with asphalt left in place.
4. Project costs are not a CEQA/NEPA issue; however, costs will be addressed in the Corps' feasibility report. In addition, the Port has included the disposal of dredged material at Hamilton in the proposed 50-foot deepening project.
5. The project objectives are clearly defined in Chapter 2 of the EIR/EIS. These objectives serve as the framework for developing project alternatives. See the response to comment 1 from the City of Novato.

# Chapter 4. Citations

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## Personal Communications

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