

- There should be more emphasis throughout the DEIS/EIR regarding the fact that the document does not address environmental impacts, mitigation measures (e.g., fish windows), and other issues regarding dredging operations. We believe that this point is understated and may lead to some misinterpretation of the information and analysis presented. 1
- The DEIS/EIR recognizes the current lack of opportunities to deal with NUAD (not suitable for unconfined aquatic disposal) sediments, and discusses generic methods for dealing with them in the context of the LTMS 50-year horizon. However, we believe a greater commitment on the part of the LTMS agencies is necessary to properly address this issue in the near term. We recommend that the FEIS/EIR identify this effort as a priority component of the Management Plan. 2
- High frequency disposal events are correctly identified several times in the DEIS/EIR as having the greatest potential for adverse impacts at dispersive in-Bay sites. Nevertheless, excessive volumes, which can lead to build-up or spread of dredged material on the bottom (e.g., mounding at the Alcatraz site), and the presence of elevated levels of chemical contaminants in the sediments are also issues of concern for our agency as they relate to the health of the Estuary's fish and wildlife resources. We recommend that they be more thoroughly discussed in the FEIS/EIR. 3
- The DFG generally approves of the policy level mitigation measures for dredged material disposal (Chapter 5) which the DEIS/EIR states have been designed to address potential adverse impacts on a broad regional and cumulative scale. General mitigation measures that apply to all disposal include material suitability and sediment quality testing, site management and monitoring, review of dredging needs, and coordinated dredged material management. Mitigation measures that apply to specific environments are also described. With regard to in-Bay fish habitat, the DEIS/EIR focuses upon protections for special status species by restricting disposal at the Carquinez and Suisun Bay disposal sites and reducing disposal volumes at the Alcatraz and San Pablo Bay disposal sites. The latter will also benefit recreational fishing. As previously indicated, we approve of these measures, but we also recommend that the LTMS agencies take advantage of the opportunity at this point in the FEIS/EIR, to commit to providing similar measures (e.g., Pacific herring windows) in the Management Plan to mitigate or offset the effects of dredging operations. 4
- The FEIS/EIR should elaborate further on the proposed Management Plan which is to follow the Record of Decision. We have made suggestions that the Management Plan provide additional information on mitigation measures for dredging operations (e.g., fish 5

- 5 | windows) and begin to develop regional opportunities for the disposal of NUAD
sediments. It is important to our agency that all issues of concern will be addressed
promptly and thoroughly in the envisioned process.
- 6 | • The DEIS/EIR discussion (p. 4-160) of the results of the U.S. Navy's disposal of 1.2
million cubic yards of dredged material at the SF-DODS site should be more detailed. A
considerable amount of LTMS resources went into identifying and designating this site,
and the Navy project was the first significant opportunity to verify our selection. We
recommend that the FEIS/EIR provide that detail.
 - 7 | • In discussing the Dredged Material Management Office (DMMO) as a policy-level
mitigation measure (p. 5-3) and elsewhere in the DEIS/EIR, it should be noted that the
resources agencies have been invited to participate in the pilot program on a formal, yet
limited, basis. If the Memorandum of Understanding (MOU) between the LTMS agencies
regarding the DMMO is signed in advance of publication of the FEIS/EIR, then we would
recommend that the MOU be included or appended to the environmental document to
provide this and other useful information to the public.
 - 8 | • The FEIS/EIR should describe in greater detail the activities of the various work groups
that facilitated the LTMS process.
 - 9 | • The historical perspective leading to development of the LTMS should acknowledge that
the state and federal resource agencies also expressed their concerns and, frequently,
voiced strong opposition to the high volumes and questionable chemical quality of the
sediments disposed of at in-Bay sites. Agency concerns relating to declining sportfish
catch in central San Francisco Bay, possible exposure of winter-run chinook salmon to
dispersive sediments containing elevated levels of contaminants, and the need for more
routine use of the solid phase bioassay in characterizing the suitability of dredged material
for aquatic disposal helped create a climate in which the current multiagency LTMS
emerged from its one-dimensional predecessor, the COE's Dredging Management
Program.
 - 10 | • Appendix J, table J-2 should be modified to include a description of interference with
migration as a potential impact of dredged material disposal to winter-run chinook salmon
adults.

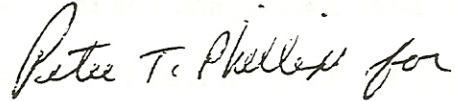
11 | In closing, the DFG would like reiterate its enthusiastic support for the LTMS Program
and compliment the LTMS agencies on the overall excellence of their environmental document.
Furthermore, we strongly encourage the LTMS agencies, in finalizing the EIS/EIR, to adopt the
transition from disposal Alternative 1 to Alternative 3 as the preferred alternative. As always,

Ms. Karen Mason

July 16, 1996

Page 5

DFG personnel are available to discuss our concerns and comments in greater detail. To arrange for discussion, please contact Mr. Robert N. Tasto, Environmental Specialist, Department of Fish and Game, Marine Resources Laboratory, 411 Burgess Drive, Menlo Park, California 94025, telephone (415) 688-6360.

A handwritten signature in cursive script, reading "Peter T. Phelan for".

John L. Turner, Chief
Environmental Services Division

cc: The Honorable Douglas P. Wheeler
Secretary for Resources
Resources Agency
Sacramento

Mr. Robert N. Tasto
Department of Fish and Game
Menlo Park

ADDENDUM TO DFG COMMENTS ON LTMS DEIS/EIR

- P. 1-16: 1.7.5, para. 2, ln. 12. - "reduce" should read "reduced".
- P. 2-11: 2.4.1, para. 2, ln. 4. - this statement could be misleading; it has been previously stated that dredging operations are not included in the policy level mitigation measures.
- P. 2-14: 2.4.2.3, para. 1, ln 18. - "were not met" should read "were met".
- P. 2-19: 2.7, para. 1, ln. 4 - "fisherman" should read "fishermen".
- P. 3-4: 3.1.1.4, para. 4, ln. 7 - "bails" should read "balls".
- P. 3-20: para. 3, lns. 7-8 - "fate of ..." is repeated from the previous two lines and should be removed.
- P. 3-55: 3.2.3.2, para. 1, ln. 12 - "bays" should read "Bays".
- P. 3-76: 3.2.5, para. 1, ln. 4 - "effect" should read "affect".
- P. 3-79: *Reference-Based Testing*, Para. 1, ln. 24 - "reflects" should read "reflect".
- P. 4-11: 4.2.4.6, para. 1, ln. 23 - "difficult" should read "difficulty".
- P. 4-38: para. 4, ln. 16 - "Sacramento splittail" should read "splittail".
- P. 4-44: para. 7, ln. 4 - "staghorn sculpin" should read "Pacific staghorn sculpin".
- P. 4-49: para. 7, ln. 1 - "principle" should read "principal".
- P. 4-49: para. 9, lns. 6-7 - "as young adults" should read "as juveniles and young adults".
- P. 4-58: Figure 4-3-7 - the distribution of eelgrass in Richardson Bay and Racoon Street is not illustrated.
- P. 4-59: para. 8, ln. 2 - "sand dab" should read "sanddab".
- P. 4-67: para. 2, ln. 12 - "Echevrzia" should read "Echeverria" (also change in References).
- P. 4-67: para. 3, ln. 11 - "staghorn sculpin" should read "Pacific staghorn sculpin".
- P. 4-67: para. 3, ln. 14 - "Saltponds" should read "Salt ponds".
- P. 4-68: para. 1, ln. 4 - "staghorn sculpin" should read "Pacific staghorn sculpin".

- P. 4-68: para. 5, lns. 3-4 - "Sacramento splittail" should read "splittail".
- P. 4-69: 4.3.2.3, para. 5, ln. 13 - "rnaged" should read "ranged".
- P. 4-73: para. 2, ln. 1 - "epiphaunal" should read "epifaunal".
- P. 4-73: para. 2, ln. 3 - "cranganid" should read "crangonid".
- P. 4-75: para. 1, lns. 3-4 - we are unaware of any special status afforded Pacific herring along Carquinez Strait.
- P. 4-78: para. 2, ln. 7 - "grainsize" should read "grain size".
- P. 4-80: para. 4, lns. 3-4 - "Sacramento splittail" should read "splittail".
- P. 4-83: para. 4, ln. 12 - "are tolerate salinities" should read "are tolerant of salinities".
- P. 4-84: para. 2, ln. 5 - "sand dab" should read "sanddab".
- P. 4-84: para. 2, ln. 6 - "pollutant" should read "pollutants".
- P. 4-84: para. 2, ln. 12 - "plain" should read "plainfin".
- P. 4-93: para. 1, ln. 3 - "influence" should read "influenced".
- P. 4-94: para. 3, ln. 3 - "pollutant" should read "pollutants".
- P. 4-96: para. 2, bullet 1, ln. 2 - "that" should read "than".
- P. 4-96: para. 4, lns. 9-10 - "California Department of Natural Resources" should read "California Department of Water Resources".
- P. 4-98: para. 7, lns. 3-4 - the Habitat Goals Process referenced here is not a product of the U.S. Fish and Willdlife Service, although they are a participant.
- P. 4-102: para. 5, lns. 8-14 - in all instances (8) "sp." should read "spp."
- P. 4-113: para. 1, ln. 7 - "thier" should read "their".
- P. 4-113: para. 6, ln. 4 - "in areas where" should read "in areas where there is".
- P. 4-115: 4.4.2.5, para. 4, ln. 11 - "effect" should read "affect".
- P. 4-123: para. 1, ln. 5 - "andconsolidation" should read "and consolidation".

- P. 4-126: para. 4, ln. 1 - "at a restoration" should read "at restoration".
- P. 4-132: para. 6, lns. 2 and 3 - "in" should read "within" in both instances.
- P. 4-133: para. 4, ln. 2 - "constituent" should read "constituents".
- P. 4-133: para. 5, ln. 1 - spelling of "fresh water" is inconsistent with P. 4-135: para. 4, ln. 10 "freshwater".
- P. 4-137: para. 4, ln. 11 - "unsuitable" for what? We presume that you mean unconfined open-water disposal (i.e., SUAD material).
- P. 4-143: 4.5.1, para. 3, ln. 7 - "associated" should read "association".
- P. 4-144: EPA'S OCEAN DISPOSAL SITE SELECTION CRITERIA - inconsistent spelling of "shellfish," "shell fishery" and "shell fisheries".
- P. 4-146: para. 3, ln. 10 - "lagoon, coastal bay" should read "lagoons, coastal bays".
- P. 4-148: 4.5.2.1, para. 1, ln. 1 - "zones" should read "zone".
- P. 4-148: 4.5.2.1, para. 1, ln. 18 - "are" should read "is".
- P. 4-150: 4.5.2.2, para. 4, ln. 12 - "that" should read "than".
- P. 4-156: para. 7, ln. 3 - "anchovies" should read "anchovy".
- P. 4-157: 4.5.3.3, para. 1, ln. 7 - "separated" should read "separately".
- P. 4-159: para. 6, ln. 17 - "Northern" should read "northern".
- P. 4-161: 4.5.4.3, para. 3, ln. 11 - "rupture" should read "ruptured".
- P. 4-164: 4.6.2.1, para. 1 - The Port of Oakland is currently dredging from -38 feet MLLW to -42 feet MLLW.
- P. 4-168: para. 10, ln. 4 - "tuna" should read "albacore tuna".
- P. 4-196: para. 3, ln. 9 - "adequate" should read "adequately".
- P. 4-197: 4.8.2.1, para. 5, ln. 6 - "hearing" should read "hearings".
- P. 5-10: para. 1, ln. 18 - "limited, to the" should read "limited to, the".
- P. 6-9: para. 2, ln. 24 - "place" should read "placed".

P. 6-36: Para. 2, *Criterion C* - "Dredging-Related Economic Sectors" should read "Dredging-Related Socioeconomic Sectors".

P. 6-41: 6.2.3 - same as above.

P. 7-14: 7.4.2.2, para. 1, ln. 3 - "california coastal conservancy" should read "California Coastal Conservancy".

P. 8-4: para. 2, lns. 11-12 - "reflect an this" should read "reflect this".

P. 8-4: 8.3.2, para. 2, lns. 17-18 - "impacts association salt loading" should read "impacts associated with salt loading".

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Responses to the CDFG — California Department of Fish and Game, letter dated July 16, 1996

1. Statement noted. Section 3.1 of the Draft EIS/EIR does address dredging issues in a general sense. However, the document's focus is directed toward the development of a long-term management strategy for dredged material disposal. The LTMS agencies recognized that dredging will continue to be necessary in the San Francisco Bay region to ensure the economic viability of the maritime industry as well as recreational uses of the Bay. It is also recognized that there are environmental impacts associated with dredging and not just dredged material disposal. This is particularly true in the case of sensitive fish and wildlife species. The Final EIS/EIR contains additional information about these impacts and includes dredging related mitigation measures. Please also see the new section 3.1.1.3 and the new species restriction table for dredging (Table 5.1-1) in the Final EIS/EIR.

Please see the response to DOI comment 5.
2. The LTMS agencies recognize that the need to establish regional or multi-user capacity to manage NUAD material is a regional priority. This need does not vary among the programmatic alternatives evaluated in the EIS/EIR, and so was not a major focus of this document. However, the LTMS Management Plan will include specific discussion of NUAD material management progress. Also, please see the response to CDFG comment 5.
3. The LTMS has been expanded to include discussions of chemical, biological, and physical monitoring. The LTMS policies propose to greatly reduce the amount of materials disposed at Alcatraz. The COE has monitored both disposal and mounding at Alcatraz (see Figure 2.2-2). The LTMS, by greatly reducing the amount of material disposed in-Bay, and by imposing stringent testing requirements, should reduce the risk of any effects to the health of the Estuary's fish and wildlife resources. Chapter 6 has also been expanded to include a discussion of the transition to Alternative 3. Please see the responses to DOI comments 17 through 20, which discuss the impacts to resources near the Alcatraz disposal site and the efforts made to monitor disposal at the Alcatraz site. Also please see the response to the attachment to the BPC letter dated July 9, 1996, which addresses sediment testing.
4. The Final EIS/EIR includes an expanded discussion of dredging impacts (as separate from disposal) and related management measures (including those addressing Pacific herring). Please see the new section 3.1.1.3. Chapter 5 now includes additional policy-level mitigation measures to mitigate these potential effects.
5. Please see the response above to CDFG comment 4 regarding mitigation for dredging.

The LTMS agencies agree that there is a need to develop multi-user rehandling and/or disposal opportunities for NUAD material. However, this need does not vary among the alternatives in this EIS/EIR (the impacts analysis for "Rehandling Facilities" in section 6.1.1.3 assumes that such facilities would be built under all alternatives). Efforts not directly associated with this EIS/EIR are underway to address this need, including a rehandling site study undertaken jointly by BCDC, the California Coastal Conservancy, and the Port of Oakland, referred to as the Dredged Material Reuse Project. In addition, the LTMS agencies intend to continue working with the Integrated Waste Management Board and individual landfills regarding using NUAD material for landfill capping and/or daily cover. Also, please see the response to CDFG comment 2.
6. The results of the Navy's disposal of 1.2 mcy at SF-DODS was used directly in EPA's decision to designate the SF-DODS. In addition, it is summarized in the *Monitoring Report for 1995 and 1996 — San Francisco Deep Ocean Disposal Site (SF-DODS) Off San Francisco California*, dated February 6, 1998 (USEPA 1998b). The monitoring report includes monitoring information following disposal of dredged material from the Navy project, as well as from the Oakland Harbor 42-foot deepening project.

7. Since preparation of the Draft EIS/EIR, the DMMO has completed the two 6-month phases of its official year-long pilot program. The *Six Month Pilot Phase Review Report* was published by the LTMS agencies on March 28, 1997 (LTMS 1997) and is available at the COE — San Francisco District. It includes the MOU establishing the DMMO. The MOU discusses the role of the resource agencies. The *Second Six Month Pilot Phase Review Report* was completed in January 1998, and is also available at the COE offices. Within the Second Six Month Report, consensus was reached among agency staff to continue the DMMO as a pilot project for an additional year following concurrence by the Dredging Management Committee
8. Statement noted. The Final EIS/EIR has been revised to include more information on the LTMS work groups; see new section 2.1.4.
9. The requested acknowledgment has been added to section 2.2.
10. Table J-2 in the Draft EIS/EIR has been superseded and includes interference with migration as a potential impact on chinook salmon from dredged material disposal.
11. Please see the response to DOC comment 2.

Memorandum

Date : JUL 25 1996

To : Jim Sutton, Sr. Environmental Specialist
State Water Resources Control Board
901 P Street
Sacramento, California 95814

From : Department of Water Resources

Subject : SCH #96052007, Draft Long-Term Management Strategy for the Placement of Dredged Material in the San Francisco Bay Region

We have reviewed the *Draft Policy Environmental Impact Statement/Programmatic Environmental Impact Report for the Long-Term Management Strategy for the Placement of Dredged Material in the San Francisco Bay Region*. It is clear that a great deal of work went into this document and we commend the efforts of those who contributed to it.

Although LTMS does not identify a preferred alternative, it encourages avoidance of in-bay disposal. Alternatives 2 and 3 of LTMS support greater reuse of dredged material rather than in-bay disposal of dredged sediments. The Department of Water Resources recognizes the benefits of the reuse of dredged material for a wide variety of activities including but not limited to habitat creation and restoration, construction, and levee rehabilitation. DWR has developed unique expertise in the science of dredged material reuse through the projects we have conducted at Jersey Island and other areas of the Sacramento Delta. We are supportive of projects conducted in an environmentally sound manner and, depending on availability of resources, may be able to provide assistance in the research needs of the LTMS group. The following comments reflect information we obtained from the Jersey Island Demonstration Project and our other Delta dredging projects.

Jersey Island

This demonstration project was implemented in 1994 using 75,000 cubic yards of material from Suisun Bay and New York federal channels to restore levees at Jersey Island in the Sacramento-San Joaquin Delta. The source material was monitored and determined to be chemically inert before upland disposal occurred. Monitoring of salt concentrations in the sediments of the levee berms indicated that over a period of six to eight months, the electrical conductivity and total dissolved solids concentrations returned to the background levels of the soil. The drains on Jersey Island, which were largely unaffected by the disposal material, were the greatest sources of EC and TDS.

JUL 25 1996

Page Two

1 ↑ Considering the results of the project, DWR makes the following recommendations regarding upland disposal of dredged material in a fresh water environment such as the Delta:

1. 1a Islands in the western Delta are preferred for placement of saline dredged material, as discharge of salinity from the placed dredged material would have less impact on the quality of the receiving water. Even in the western Delta, there are specific salinity standards that must be met.
2. 1b Monitoring programs established for sediment reuse projects need to be well designed to assure meaningful data are obtained. However, monitoring requirements should take into account the existing database, and generally not require extensive monitoring where experience has demonstrated no water quality concerns. In order to assess the impacts from the use of dredged material, background data are needed on the chemical constituents and the movement of water around the Delta islands. Existing data should be used to the extent appropriate for establishing background levels.
3. 1c The size of the receiving water body at the site of island discharges should be considered when dredged material is used, with preference being given to projects where flow in the receiving water body is high, thus minimizing the effects of saline inflows.

General Comments

1. 2 Determination of "Acceptable" Contaminant Level and Sediment Testing Techniques.

It is our understanding that the LTMS group is refining the criteria for determining what is "acceptable" or "unacceptable" material for unconfined disposal of dredged materials. This task will involve examining both the levels of contaminants deemed to be "acceptable" for a particular area, as well as the sediment testing techniques used to make that determination. DWR's recommendation is to work closely with both Region 2 and Region 5 of the regional water quality control boards in the development of these criteria. The Division of Local Assistance can help in the review of these criteria.

2. Page 3-85, Section 3.2.5.4, Opportunities to "Streamline" Testing Needs. 3

The following comments refer to the options for streamlining the permit process and testing requirements for dredged material.

- a. According to page 3-85 of the LTMS Draft Environmental Impact Report, a consolidated *Regional Implementation Manual* for the testing of dredged material for aquatic disposal will be created. The RIM will be designed to "... establish consistent methods for biological and chemical testing for disposal in ocean and in-bay environments." 3a

It is unclear whether methods for upland/wetlands disposal will also be included in this document. These methods should be in the RIM or cited by reference. DWR can help to review testing methods for uplands/wetlands disposal.

- b. Page 3-85 of the LTMS DEIR also states the RIM will support more systematic use of the tiered approach to dredged material evaluation. Tier one provides for less testing for some individual projects once a multi year track record for clean sediments has been established (i.e., for yearly channel maintenance projects). We recommend occasional checks of the source material to ensure baseline conditions do not change. We also recommend that baseline conditions at the disposal site be established in order to adequately identify any project impacts. 3b

3. Page 4-89. Bay-Delta Baylands Map.

Is the Delta included in the geographic scope of the San Francisco Bay-Delta Baylands? If so, it should be included on the San Francisco Bay-Delta Baylands map. 4

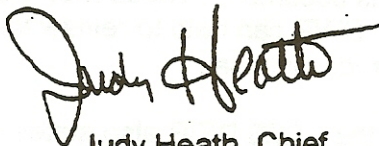
4. Page 4-96. Misprint.

In the sentence "... SB 34 directed the California Department of Natural Resources to develop and implement flood protection projects on the following eight western Delta islands ...", the agency listed should be the California Department of *Water* Resources, rather than *Natural* Resources. 5

5. 6 | Page 5-13, Table 5.1-5, Overall Guidance for Levee Reuse.

Table 5. 1-5 lists the items that should be addressed when considering the use of dredged materials for levees at a specific site. Elsewhere in the document, LTMS mentions the possibility of cumulative effects to Delta water quality resulting from dredge material reuse in levees, especially from increased concentrations of salt, but also from other pollutants. To be consistent, there should be a guidance statement in this table to consider the potential cumulative effects to water quality from salt and other pollutants.

We appreciate the opportunity to comment on the LTMS DEIR. If there are any questions or need for information, please contact me.



Judy Heath, Chief
Technical Services Section
Division of Local Assistance
(916) 327-1672

cc: (See attached list.)

Raymond D. Hart, Chief
Division of Local Assistance
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Karen Mason, LTMS EIS Coordinator
U.S. Environmental Protection Agency, Region 9
(W-3-3) 75 Hawthorne Street
San Francisco, California 94105

Responses to the CDWR — California Department of Water Resources, letter dated July 25, 1996

1. Statement noted; please see the responses immediately below to comments 1a through 1c.
- 1a. Statement noted. As noted in Table 5.1-6, appropriate site selection and suitability analysis will need to be conducted for each levee reuse project on a case-by-case basis. The proposed reuse of dredged material in this manner in the EIS/EIR does not constitute specific project approval. All applicable environmental review and water quality standards will need to be met prior to the implementation of each project.
- 1b. Statement noted. The LTMS agencies agree. As discussed in the responses to other comments, the LTMS is not a finite program. Rather, it is ongoing and designed to allow for management updates based on the availability of information. Much additional data will need to be collected. It is for this reason that the planning estimates contained in section 4.4.4 indicated the relatively low initial volumes of dredged material reuse for levee maintenance and restoration work. It is anticipated that as additional data on this type of beneficial reuse is acquired over the LTMS planning period, increased volumes of dredged material could be used in the Delta.
- 1c. Statement noted. This type of analysis, while general in nature, needs to be addressed on a project-specific basis. While there are potential impacts and risks associated with the reuse of dredged material in the Delta region, such reuse offers the opportunity of providing a greatly needed resource for levee repair and stabilization in an area where material suitable for this purpose is very limited. Notwithstanding this need, the potential impacts associated with dredged material reuse in the Delta region will need to be addressed on a project-by-project basis. However, general guidelines will be established under the LTMS Management Plan to reduce the potential of such impacts, thereby enabling reuse projects to move forward more efficiently.
2. Please see the response above to DOC comment 5. In addition, the LTMS agencies are working with the Central Valley Regional Water Quality Control Board (Region 5 Board) to develop salinity standards for dredged material reuse for projects in the Delta.
3. Please see the responses immediately below to comments 3a and 3b.
- 3a. The LTMS agencies are working to standardize upland/wetland testing needs for inclusion in the Regional Implementation Manual (RIM). The proposed LTMS sediment classification framework (Appendix J; Chapter 3), will help by establishing minimum standardized testing requirements. However, additional upland and wetland testing requirements can vary significantly from site to site and will need to be further defined on a site-by-site basis. For example, individual landfills may not always accept the LTMS testing as adequate.
- 3b. When existing information warrants, reduced testing can be appropriate. Periodic evaluation of whether conditions have changed will also be done where necessary and appropriate. This can include confirmatory chemical testing.

Baseline conditions at the aquatic disposal sites are known and monitoring requirements for the disposal sites have also been established and will be outlined in the Management Plan.
4. Maps in Chapter 2 (Figure 2.2-1) and Chapter 4 (Figure 4.4-1) show the LTMS study area. Although the Bay and Delta are obviously intimately linked, and the LTMS agencies are looking for reuse opportunities through coordination with the CALFED program and Delta interested parties, the Delta is not officially within the geographic planning area covered by LTMS. For example, the Sacramento District of the COE (which has jurisdiction over dredging and disposal permits in the Delta) is not an official LTMS agency for the purpose of committing to all the LTMS policies. Similarly, BCDC and SFBRWQCB (which are formal LTMS agencies) do not have official jurisdiction in the Delta.

5. Statement noted; the text in section 4.4.1.1 has been corrected.
6. Statement noted. Table 5.1-5 in the Draft EIS/EIR (now Table 5.1-6) has been revised to reflect the need to evaluate the cumulative impacts associated with the reuse of dredged material for levee repair and stabilization.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD —
CENTRAL VALLEY REGION**

43 ROUTIER ROAD, SUITE A
SACRAMENTO, CA 95827-3098
PHONE: (916) 255-3000
FAX: (916) 255-3015



19 July 1996

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

**EIS/EIR, LONG TERM MANAGEMENT STRATEGY (LTMS) FOR THE
PLACEMENT OF DREDGED MATERIAL IN THE SAN FRANCISCO BAY
REGION**

Our review of the draft LTMS EIS/EIR is limited in scope to issues that may have positive or negative impact on the Sacramento - San Joaquin River Delta (Delta).

General Comments

- The Central Valley Regional Water Quality Control Board (Board) supports a regional planning and implementation effort to maximize the reuse of dredged material in a environmentally and economically sound manner. There exists the potential for reuse of low-salinity dredge material for various types of reuse projects in the Delta. The greatest need appears to be levee rehabilitation and maintenance. The EIS/EIR provides a good overview of the various potential Delta reuse projects and issues that may limit scope future Delta reuse projects. | 1
- The Board will continue to promote dialog with various agencies and potential reuse applicants to address Delta specific reuse issues. | 2
- The Board supports the implementation of a San Francisco Bay Regional Dredged Material Management Office (DMMO) and a regional data management system for sediment quality data. However, for a number of reasons, we believe that a Delta specific DMMO type organization needs to be implemented to address Delta regional issues. These reasons include, but are not limited to, maintaining fresh water quality, Delta economics, CalFed activities, and the lack of both water and sediment standards. We understand that CalFed will address many of these issues. | 3
- It is difficult to assess the impact of the "policy" or the "alternatives" due to the fact that many policy and management issues will be further addressed through implementation or management plans that are yet to be developed. With respect to the "Regional Implementation Plan" or "RIM", we believe that it will be necessary for the Delta interests to develop a Delta specific RIM. The Delta RIM should address all of the dredging and dredged material disposal and reuse issues that exist in the Delta, including the reuse of low-salinity dredged material from the eastern portions of the San Francisco Bay. | 4

- 5| The EIS/EIR has focused only on saline dredged material from the San Francisco Bay for reuse in the Delta. Fresh water dredged material disposal and reuse issues in the Delta are not discussed. The decision to not address fresh water dredged material issues through the LTMS process was made a number of years ago. The EIS/EIR should reflect the need for a process similar to LTMS to address Delta dredging, dredged material disposal and reused, levee rehabilitation and maintenance, and wetland enhancement as well as the reused of appropriate dredged materials from the San Francisco Bay region.

Specific Comments

- 6| Based on the information available to the Board at this time, in the short term, it appears that only dredged material from the eastern portions of the San Francisco Bay (Suisun Bay) should be prioritized for reuse in the "western delta". This is primarily due to issues regarding salinity, fresh water flow and transportation and placement costs.
- 7| Based on the above comments, the Board supports Alternative 3 with a scaled back upland/wetland Delta reuse component. The Delta reuse component (volume) should be expanded as many of the technical, environmental and economic issues are addressed. These issues need to be addressed through special studies, management plans and implementations plans.
- 8| We support the siting of a rehandling facility in the western Delta for processing and drying of dredged material deemed appropriate for the end reuse(s). We have discussed the concept of a rehandling facility on Sherman Island with Department of Water Resources.
- 9| Unless dredging can occur during large fresh water outflows when overlying water is of low salinity, it seems unreasonable to assume that dredging activities in the San Francisco Bay could provide up to 1 million cubic yards per year of appropriate material for Delta reuse projects (levees) for the next five years.
- 10| Until sufficient studies have been completed to address water quality impacts from both water side and land side placement of saline dredged material, Waste Discharge Requirements (WDRs) like the order developed to permit and monitor the Jersey Island demonstration project will be used by the Board. This order is not considered "strict" as noted on page 4-133. Many activities conducted under the terms and conditions of the Jersey Island order should be conducted prior to submittal of the Report of Waste Discharge. Post project monitoring is necessary to verify that no significant impacts to water quality are occurring. All future demonstration projects will have a post project monitoring component until water and sediment quality objectives are developed for these dredged materials.
- 11| We strongly support the "LTMS agencies" adopting the "general policies" outlined on page 5-1, Section 5.1.1.1 - Material Suitability and Sediment Quality Testing, page 5-2, Section 5.1.1.2 - Site Management and Monitoring, page 5-3, Section 5.1.1.3 - Reviewing the Need for Dredging, and Section 5.1.1.3 - Coordinated Dredged Material Management. However, these policies must provide the Board oversight of Delta disposal and reuse projects and development of Delta specific water and sediment quality criteria.
- 12| We propose that the LTMS agencies, Department of Water Resource, and the Reclamation Districts in the western Delta join together to conduct the necessary studies and environmental assessment(s) for the reuse of dredge material currently disposed of at the Suisun Bay site. This may result in the reuse of up to 200,000 cubic yards per year in the rehabilitation and maintenance of key levee systems in the western Delta. The Board will continue to consider reasonably sized pilot projects.

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- Currently, little financial support has been provided to Delta interests to address issues of concern (salinity, cost sharing, priority reuse sites, handling facility(s), etc.). This will remain as a key issue as the Delta interests try to maximize the reuse of saline dredged materials. This issue is primarily due to the existing Delta economics. The cost of implementing a program to address the reuse of saline dredged material in the Delta must be shared by others that directly and indirectly benefit from the reuse.

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If you have any questions or comments, call me at (916) 255-3091 or send Email to billc@bptcp1.swrcb.ca.gov.



William A. Croyle

Standards, Policies, and Special Studies Unit
Nonpoint Source Section

WAC

cc: Margit Aramburu, Delta Protection Commission, Walnut Grove
Rick Woodard, Division of Local Assistance, Department of Water Resources,
Sacramento
Kurt Schumit, Central District, Department of Water Resources, Sacramento

**Responses to the CVRWQCB — California Regional Water Quality Control Board, Central Valley Region,
letter dated July 19, 1996**

1. Statement noted.
2. Statement noted. The LTMS agencies appreciate the Central Valley Regional Water Quality Control Board's efforts directed towards the beneficial reuse of dredged material within the Delta region.
3. The LTMS agencies believe that the idea of a DMMO-like organization focusing on projects in the Delta has merit. We note that the Interim South Delta Project EIS/EIR also calls for an interagency effort to streamline environmental review and permitting. However, since a DMMO-like organization for the Delta would involve a different mix of agencies and interested parties, the effort should be organized and initiated by them.
4. The Bay area RIM that LTMS will produce will address protocols and sediment testing requirements, many of which will be generally applicable to the Delta. However, LTMS is not producing a Delta-specific RIM, and the LTMS agencies will not by themselves establish guidelines (such as salinity standards for different kinds of reuse in different parts of the Delta). Such guidelines must be developed by and with the appropriate agencies with jurisdiction over Delta water quality (e.g., CVRWQCB). Also, please see the responses to CDWR comment 4 and DPC comment 2.
5. The LTMS study area includes a relatively small proportion of freshwater sediments. The Draft EIS/EIR addressed reuse of the lower salinity dredged material from the LTMS area in the Delta, but did not address dredging projects further upstream that are carried out by, or under permit from, the Sacramento District COE. However, the LTMS is coordinating with agencies involved in the CALFED process, and based on this coordination it appears that there may be more opportunities for reuse of Bay Area dredged material in the Delta than previously thought. The Final EIS/EIR includes a revised discussion of these issues (see sections 2.2.3 and 2.4.2.2). In addition, if and when salinity standards are established for reuse of dredged material in the Delta, it is possible that a still higher percentage of LTMS area dredged material could be considered for reuse in the Delta. Also, please see the responses to CDWR comment 4; CVRWQCB comment 4; CSLC comment 3a; and DPC comment 2.
6. Statement noted. The LTMS reuse planning estimates presented in section 4.4.4.4 assumed that only dredged material from the eastern portion of the San Francisco Bay would be suitable for reuse in the Delta region. However, section 5.1.3.4 has been revised to address this issue.
7. Please see the response to DOC comment 2. SUAD material (and in some cases, NUAD material) will be used for beneficial reuse projects to the extent practicable, and will be based on economics, technical and environmental concerns being addressed for each reuse project — including any in the Delta. The approach of phasing in Alternative 3 is adopted specifically to allow these issues to be addressed.
8. Statement noted.
9. The Final EIS/EIR evaluates, as a potential worst-case scenario, the need to manage the disposal of 300 million cubic yards of dredged material (the high-end estimate) that may be generated over the 50-year LTMS planning period. The planning level estimates provided in section 4.4.4 use the high-end estimate as the basis for dredged material distribution among the disposal/reuse environments. As the document makes clear, only material determined to be suitable would be utilized for levee repair and stabilization purposes within the Delta region. This would include compliance with the suitability requirements of the CVRWQCB. Sections 4.4.4.4 and 5.1.3.4 of the Final EIS/EIR have been revised to clarify that, due to concerns of elevated salinity and other contaminants contained in material dredged from the lower reaches of the Estuary, it is assumed that only material from the eastern portions of San Francisco Bay would be suitable for reuse in the Delta region. Historic dredging

records from this region of the Bay indicate that it is still quite possible that volumes exceeding the estimated 1 million cubic yard per year figure could be available for Delta levee repair and stabilization projects.

10. Statement noted. The word "strict" was used in relative terms to emphasize the importance of adherence to the CVRWQCB established WDRs. However, the word "strict" has been deleted from the discussion of the WDRs for the Jersey Island Dredged Material Reuse Demonstration Project in Draft EIS/EIR section 4.4.4.2 (Final EIS/EIR section 4.4.5.2). Table 5.1-5 indicates that each project will need to be evaluated for full compliance with mitigation and monitoring requirements as mandated by all applicable federal and state regulations and policies.
11. Statement noted. The adoption of the policy-level mitigation measures in Chapter 5 of the EIS/EIR in no way negates existing applicable federal and state regulations and policies.
12. Statement noted. The dredged material reuse estimate presented in the Draft EIS/EIR reflects the potential reuse of Suisun Bay dredged material in Delta levee maintenance and stabilization projects. The need for additional "reasonably sized" pilot projects was figured into these estimates. Please also see the response to CVRWQCB comment 5.
13. Statement noted. Some options to assist with the costs associated with beneficial reuse projects were presented in Chapter 7 of the Draft EIS/EIR. Significant costs may be associated with the site preparation, transport, off-loading, mitigation, and monitoring requirements of dredged material reuse in the Delta region. It is anticipated that some of the cost savings associated with reduced testing needs for upland placement of material may help offset the additional costs associated with beneficial reuse. Further, it is the LTMS agencies' understanding that DWR and Delta island reclamation districts are in great need of material for levee repair and stabilization. Cost-sharing from these and perhaps federal sources will aid in offsetting the additional costs associated with beneficial reuse of dredged material.

The Delta is not officially within the LTMS study area (see the responses to CDWR comment 4; CVRWQCB comments 4 and 5; CSLC comment 3a; and DPC comment 2). However the LTMS agencies are very interested in and are working to realize cost-sharing opportunities to make dredged material reuse in the Delta more practicable so that it can increase. Other programs (e.g., CALFED) should further increase such opportunities.

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July 18, 1996

File Ref.: SCH 96052007

Ms. Maureen Gorsen
General Counsel
The Resources Agency
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Sacramento, CA 95814

Attention: Nadell Gayou

LTMS EIS/EIR Comments
C/O U. S. Environmental Protection Agency
Region 9 (W-3-3)
75 Hawthorne Street
San Francisco, CA 94105-3901

Dear Ms. Gorsen and LTMS EIS/EIR Coordinator:

Staff of the State Lands Commission (SLC) has reviewed the Draft Environmental Impact Statement/Environmental Impact Report (DEIS/R) for the Long Term Management Strategy (LTMS) for the Placement of Dredged Material in the San Francisco Bay Region, SCH #96052007. Based on this review, we offer the following comments and suggestions.

Jurisdiction

The SLC has jurisdiction over the State's nearly 4 million acres of ungranted sovereign land underlying the State's tide and submerged lands and navigable inland waterways. In addition, the SLC has an oversight responsibility for tide and submerged lands that have been legislatively granted in trust to local jurisdictions (Public Resources Code Section 6301). Where minerals have been reserved as a condition of the grant, the SLC has jurisdiction over dredging activities.

Most of the alternative project components under consideration have the potential for affecting sovereign lands, including disposal at in-Bay sites as well as upland/wetland/reuse options. The landward boundaries of the State's sovereign land interests are generally based upon the ordinary high water marks of waterways as they last naturally existed. However, such boundaries may not always be readily apparent from present-day site inspection. The proposed ocean disposal site is beyond the 3-mile state limit.

1

2 | General Comments

2a | *Sediment Budgets*

Brief discussions of sediment budgets and circulation in the Bay are found in Sections 3.2.2 and 4.3.1.1. It appears that the known estimates of the amounts of total sedimentation, as well as the relative contributions from recirculation within the Bay vs upstream sources, vary widely. In upstream waterways there are numerous activities and programs which may affect present or future input of sediment types or amounts to the estuary. The document also correctly concludes that Bay dredging and off-site disposal itself could also significantly alter in-Bay sediment budgets (page 4-27). Given the extreme importance of this subject, we suggest that the LTMS program consider much more in-depth study to reduce the current uncertainty as to sediment sources in the areas in need of dredging.

2b | *Regulatory Framework*

It would be helpful to explain all the agencies which may have jurisdiction and interest in dredging and disposal in a more systematic way. The document highlights the authority and processes of the five cooperating LTMS agencies, but is less complete for other agencies such as the SLC, the U.S. Fish and Wildlife Service and California Department of Fish and Game.

We found the SLC specifically mentioned in the document in the following places:

Page 1-8 Executive Summary, Recommendation for an interagency office

Page 2-10 Interested Parties Group

Page 4-197 SLC Application

(Note: page 4-198 UWR disposal may also require SLC lease)

Page 4-199 SLC Application

Page 5-3 Section 5.1.1.4 Recommendation for Interagency Office

Page 7-14 Sections 7.4.2.3 regarding various dredging fees

Appendix M - General Operating Principles for Pilot DMMO

Other parts of the document contain discussions which likely would relate to the SLC, although not named, such as:

Pages 2-2, 3 LTMS Organizational Structure

Pages 4-193 to 200 Section 4.8 Regulatory Environment (Mostly LTMS Agencies)

Page 7-3 Section 7.1.3 Improved Regulatory Coordination

Page 7-11 Section 7.3.2.2 State Regional Dredging Trust

Page 7-14 Section 7.4.2.4 State Regional Dredging Trust