

APPENDIX A

ERRATA

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INTRODUCTION

The Final Environmental Impact Report (EIR) is composed of the DEIR (Volumes I and II), and the Responses to Comments and Errata (Volume III).

This Errata document is provided to clarify, refine, and provide supplemental information for the Shipyard Sediment Remediation Project. Changes may be corrections or clarifications to the text of the original DEIR. Other changes to the EIR clarify the analysis in the EIR based upon the information and concerns raised by commenters during the public comment period. None of the information contained in this EIR Errata constitutes significant new information or changes to the analysis or conclusions of the DEIR.

PROJECT REFINEMENTS

In response to comments received on the Draft PEIR prepared for the proposed project, the following project refinements have been hereby incorporated into the proposed project:

- Sand import and rock quarry import updated from approximately 10 truck trips per day to approximately 25 to 30 import trips per day.
- The San Diego Water Board will ensure that the responsible parties identified in the TCAO notify and consult California State Lands Commission (CSLC) staff in the event that any cultural resources are uncovered.
 - A protocol will be put into place to address accidental discovery of any archeological resources and/or human remains in the project footprint. If, during the course of project construction, unanticipated cultural resources are discovered, work should be halted temporarily until a qualified archaeologist can evaluate the significance of the resources. If human remains are encountered during work on this project, State Health and Safety Code section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resource Code section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). The MLD may inspect the site of the discovery with the permission of the landowner, or his or her authorized representative. The MLD shall complete his/her inspection within 48 hours of

- notification by the NAHC. The MLD may recommend scientific removal and analysis of human remains and items associated with Native American burials.
- The San Diego Water Board will ensure that the responsible parties identified in the TCAO contract specifications will include the requirement that there be no off-site truck parking.

The refinements identified above clarify or amplify project features included in the proposed Project, and do not result in a substantive change to project impacts or change the significance conclusions of the Draft PEIR.

A Revised Tentative Clean-up and Abatement Order (TCAO) was provided on September 15, 2011, consistent with the Third Amended Order of Proceedings. There are no changes to the project description in the EIR, however, as a result of the updated TCAO.

The information included in these errata resulting from the public comment process does not constitute substantial new information that requires recirculation of the DEIR. California Environmental Quality Act (CEQA) Guidelines section 15088.5 states, in part:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure showing that:
 - (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
 - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
 - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
 - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were

precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal. App. 3d 1043)

- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.
- (c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.
- (d) Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.
- (e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.
- (f) The lead agency shall evaluate and respond to comments as provided in Section 15088. Recirculating an EIR can result in the lead agency receiving more than one set of comments from reviewers. The following are two ways in which the lead agency may identify the set of comments to which it will respond. This dual approach avoids confusion over whether the lead agency must respond to comments which are duplicates or which are no longer pertinent due to revisions to the EIR. In no case shall the lead agency fail to respond to pertinent comments on significant environmental issues.
 - (1) When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either in the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR.
 - (2) When the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated, and (ii) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated. The lead agency's request that reviewers limit the scope

of their comments shall be included either within the text of the revised EIR or by an attachment to the revised EIR.

(3) As part of providing notice of recirculation as required by Public Resources Code Section 21092.1, the lead agency shall send a notice of recirculation to every agency, person, or organization that commented on the prior EIR. The notice shall indicate, at a minimum, whether new comments may be submitted only on the recirculated portions of the EIR or on the entire EIR in order to be considered by the agency.

(g) When recirculating a revised EIR, either in whole or in part, the lead agency shall, in the revised EIR or by an attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR.

The changes to the DEIR included in these Errata do not constitute “significant” new information because:

- No new significant environmental impact has been identified and no new mitigation measure or project revisions must be added in order to reduce it to a less than significant level;
- Project revisions and mitigation measure revisions that have been added in response to written or verbal comments pertain to project impacts previously identified in the Draft EIR; and
- Project revisions and mitigation measure revisions added after circulation of the EIR do not create new significant environmental effects.

Therefore, recirculation of the DEIR is not required because the new information added to the EIR through this Errata document clarifies or amplifies or makes insignificant modifications to the already adequate DEIR.

Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by underlining (underline) where text has been added. The applicable page numbers from the DEIR are also provided where necessary for easy reference.

The Errata document consists primarily of changes to text within specific mitigation measures. Changes to mitigation measures would apply to Chapter 1.0 Executive Summary; the applicable subchapter in Chapter 4.0 Existing Environmental Setting, Environmental Analysis, Impacts, and Mitigation Measures; Chapter 7.0 Mitigation Monitoring and Reporting Program; and where applicable, Chapter 5.0, Convair Lagoon Alternative. For simplicity, these changes are identified below under the Chapter 4.0 Existing Environmental Setting, Environmental Analysis, Impacts, and Mitigation Measures heading and would be implemented throughout the document where applicable.

CHAPTER 4.0: EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES, SECTION 4.1

This change was made in response to Caltrans' comment A-1-2 requesting clarification regarding Mitigation Measure 4.1.1.

Mitigation Measure 4.1.1: Should one or more of Staging Areas 1 through 4 be selected, the contractor shall require, and the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify, that the project-related truck traffic is routed on Harbor Drive (southbound) to the Civic Center Drive access to Interstate 5 (I-5) for the duration of the dredge-and-haul and sand import activity. This requirement will be reflected in the contract documents for the primary contractor and sub-contractors. Haul, delivery, and employee traffic shall be discouraged at the I-5 southbound ramp/Boston Avenue intersection and on the roadway segment of Boston Avenue between 28th Street and the I-5 southbound ramp.

The additional text included within Mitigation Measure 4.1.1 clarifies how this mitigation measure would be implemented. No significant new information constituting a new significant environmental impact has been identified.

CHAPTER 4.0: EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES, SECTION 4.2

This change was made in response to NASSCO comment 0-3-93 requesting correction to a typographical error in Mitigation Measure 4.2.2.

Mitigation Measure 4.2.2: During dredging operations, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify that the dredge contractor is implementing standard Best Management Practices (BMPs) for minimizing resuspension, spillage, and misplaced sediment during dredging operations, as the deposition of such material would increase turbidity and compromise cleanup efforts. Such BMPs shall include, but not be limited to, the following:

- The contractor shall not stockpile material on the bottom of the San Diego Bay floor and shall not sweep or level the bottom surface with the bucket.
- The contractor shall use and maintain double silt curtains that encircle the area of dredging and shall minimize the times in which these curtains are temporarily opened, to contain suspended sediments.
- The contractor ~~shall~~ may use air curtains in conjunction with silt curtains to contain re-suspended sediment, to enhance worker safety, and allow barges to transit into and out of the work area without the need to open and close silt curtain gates.
- The contractor shall ensure the environmental clamshell bucket is entirely closed when withdrawn from the water and moved to the barge. This action requires extra attention when debris is present to make sure debris does not prevent the bucket from completely closing. Two closure switches shall be on each side of the bucket near the top and bottom to provide an electrical signal to the operator that the bucket is closed. Use of the switches shall minimize the potential of sediment leaking from the bucket into the water column during travel to the surface.
- The contractor shall not overfill the digging bucket because overfill results in material overflowing back into the water. Use of instrumentation such as Clam Vision[®] shall allow

the operator to visualize in real time the depth of cut that shall be designed to prevent overfilling.

- The contractor shall utilize wide-pocket material barges having watertight containments to prevent return water from re-entering San Diego Bay. The contractor shall not overfill the material barge to a point where overflow or spillage could occur. Each material barge shall be marked in such a way to allow the operator to visually identify the maximum load point. The marking should allow sufficient interior freeboard to prevent spillage in rough water such as ship wakes during transit. Initiating the material barge marking shall minimize impact of load spillage during transit to the unloading area.
- The contractor shall not use weirs as a means to dewater the scow and shall allow additional room for sediment placement. Preventing this action shall minimize the introduction of turbidity to the water column.
- The contractor shall place material in the material barge such that splashing or sloshing does not occur, which could send sediment back into the water. Splashing can be controlled by restricting the drop height from the bucket.
- If the use of a grate to collect debris is required, the contractor shall not allow material to pile up on the grid and flow or slip from the grid back into the water. The debris scalper shall be positioned in such a way as to be totally contained on the shore side of the unloading operations. The dredge operator shall visually monitor for debris build-up and alert the support personnel on the barge to assist in clearing the debris, as necessary. Debris that is derived from dredging activities shall be removed from the grate by the environmental clamshell bucket and placed in a contained area on the dredge barge or in a second material barge for subsequent removal to the onshore dewatering facility.
- The contractor shall restrict barge movement and work boat speeds (i.e., reducing propeller wash) in the dredge area. The remedial design should identify the various areas where this operational control should be used.

This measure is correct in Section 4.2 but was incorrect in Chapter 7.0. The change is a correction to a typographical error. No significant new information constituting a new significant environmental impact has been identified.

CHAPTER 4.0: EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES, SECTION 4.3

This change was made in response to DTSC Comment A-4-4 requesting additional coordination with the Department of the Navy in recovering munitions and ordnance within the San Diego Bay.

Mitigation Measure 4.3.2: Dredging Management Plan. The contractor shall ensure that a Dredging Management Plan (DMP) containing Standard Operating Procedures (SOPs) for the project is developed prior to the initiation of dredging and implemented for the duration of the dredging activity. The DMP will include the following measures to prevent release of hazardous materials during construction activities:

- Personnel involved with dredging and handling the dredged material will be given training on their specific task areas, including:
 - Potential hazards resulting from accidental oil and/or fuel spills;
 - Proper dredging equipment operation; ~~and~~
 - Proper silt curtain deployment techniques; and
 - Proper response in the event that ordnance or munitions are encountered.
- All equipment will be inspected by the dredge contractor and equipment operators before starting the shift. These inspections are intended to identify typical wear or faulty parts.
- Required instrumentation to avoid spillage of dredging material will be identified for each piece of equipment used during dredging operations.
- Personnel will be required to visually monitor for oil or fuel spills during construction activities.
- In the event that a sheen or spill is observed, the equipment will be immediately shut down and the source of the spill identified and contained. Additionally, the spill will be reported to the applicable agencies presented in the DMP.
- All personnel associated with dredging activities will be trained as to where oil/fuel spill kits are located, how to

deploy the oil-absorbent pads, and proper disposal guidelines. The dredging barge shall have a full complement of oil/fuel spill kits on board to allow for quick and timely implementation of spill containment.

- The use of oil booms will be deployed surrounding the dredging activities. In the event that a spill occurs, the oil and/or fuel will be contained within the oil boom boundary. The silt curtains may also act as an oil boom, provided absorbent material is deployed during a spill.
- Shallow areas along the haul route will be mapped and provided to the dredge operator for review. These areas will be avoided to the extent possible to prevent propeller wash resuspension of sediment.
- Load-controlled barge movement, line attachment, and horsepower requirements of tugs and support boats at the project site will be specified to avoid resuspension of sediment.
- Barge load limits and loading procedures will be identified, and the appropriate draft level will be marked on the materials barge hull.
- A protocol will be developed for the project in conjunction with the U.S. Department of the Navy (DON) to address any munitions and ordnance that have been found during the project. As required for projects within the San Diego Bay Ship Channels, the project shall be coordinated with the Navy NAVFAC Southwest Division in San Diego for munitions clearance.

Implementation of the DMP will be verified by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). The DON will be provided an opportunity to review and comment on the DMP, particularly with respect to ordnance and munitions that have been identified in proximity to the Shipyard Sediment Site.

The additional text included within Mitigation Measure 4.3.2 clarifies how this mitigation measure would be implemented. No significant new information constituting a new significant environmental impact has been identified.

CHAPTER 4.0: EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES, SECTION 4.3

DTSC Comment A-4-4 requested additional coordination with the Department of the Navy in recovering munitions and ordnance within the San Diego Bay.

Mitigation Measure 4.3.3: Contingency Plan. The contractor shall ensure that a Contingency Plan has been developed prior to the initiation of dredging and implemented for the duration of the dredging activity to address equipment and operational failures that could occur during dredging operations. The Contingency Plan will also address the potential to encounter munitions or ordnance. The Contingency Plan will include the following measures to prevent release of hazardous materials during construction activities:

- Actions to implement in the event of equipment failure, repair, or silt curtain breach. These include:
 - Communication to project personnel;
 - Proper signage and/or barriers alerting others of potentially unsafe conditions;
 - Specification for repair work to be conducted on land and not over water;
 - Identification of proper spill containment equipment (e.g., spill kit);
 - A plan identifying availability of other equipment or subcontracting options;
 - Emergency procedures to follow in the event of a silt curtain breach;
 - Incident reporting and review procedure to evaluate the causes of an accidental silt curtain breach and steps to avoid further breaches; and
 - Response procedures in the event of barge overfill.
- Actions to implement in the event that munitions or ordnance are encountered during project activities. These include:
 - Immediate stoppage of all in-water work activities until further notice to proceed is received;

- Contact the Site Safety Manager;
- Refer to the Contingency Plan section that presents the emergency contact name(s) and telephone number(s) for NAVFAC Southwest Division; and
- Contact NAVFAC Southwest Division personnel. The recovery and disposal of any munitions and/or ordnance item(s) found will become the responsibility of NAVFAC Southwest Division.

Implementation of the Contingency Plan will be verified by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).

The additional text included within Mitigation Measure 4.3.3 clarifies how this mitigation measure would be implemented. No significant new information constituting a new significant environmental impact has been identified.

CHAPTER 4.0: EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES, SECTION 4.3

This change was made in response to DTSC Comment A-4-4 requesting additional coordination with the Department of the Navy in recovering munitions and ordnance within the San Diego Bay.

Mitigation Measure 4.3.4: Health and Safety Plan. The contractor shall ensure that a Health and Safety Plan (H&S Plan) has been developed prior to the initiation of dredging and implemented for the duration of the dredging activity to protect workers from exposure to contaminated sediment. The H&S Plan will include the following requirements at a minimum:

- Training for operators to prevent spillage of sediment on the bridges during dredging activities
- Training for operators in decontamination and waste containment procedures
- Training for operators in appropriate notification/handling procedures for munitions/ordnance
- Identification of appropriate Personal Protection Equipment (PPE) for all activities, including sediment removal, management, and disposal
- Certification of personnel under safety regulations such as Occupational Safety and Health Administration (OSHA) 29 Code of Federal Regulations (CFR) 1910.120
- Documentation that requires that health and safety procedures have been implemented

Implementation of the H&S Plan will be verified by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).

The additional text included within Mitigation Measure 4.3.4 clarifies how this mitigation measure would be implemented. No significant new information constituting a new significant environmental impact has been identified.

CHAPTER 4.0: EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES, SECTION 4.5

This change was made in response to California State Lands Commission Comment A-5-9 requesting additional clarification and additional detail specifying actions that would reduce potential impacts to sensitive biological resources potentially located at Staging Area 5

Mitigation Measure 4.5.11: If Staging Area 5 is selected, the California Department of Fish and Game (CDFG) shall be notified not less than 30 days in advance and shall be given the opportunity to provide recommended measures to minimize impacts from increased noise and human activity to species in the Sweetwater Marsh Unit of the San Diego Bay National Wildlife Refuge (NWR). All agency-recommended measures (or agency-approved substitute measures, if recommended measures are infeasible) shall be implemented throughout the duration of project activities in Staging Area 5. At a minimum, the applicant shall conduct pre-activity nesting bird surveys within 300 feet of all noise-intensive activities if such activities will be initiated within the breeding season for special-status species (conservatively February 1 through August 31). If nesting birds are identified within 300 feet of activities, a qualified (and, if appropriate based on the species, agency-permitted) biological monitor shall be present on site to observe the behavior of the nesting birds during initiation of activities. The biological monitor shall have the authority to temporarily halt or redirect activities in the event that adverse effects to the birds are evident (e.g., there is a risk of nest failure or other indication of harassment, as defined by the Endangered Species Act). If adverse effects to nesting birds appear to be likely, the monitor shall recommend additional measures (e.g., installation of sound barriers, limiting duration of activities, relocating activities to another area, or postponing activities until the nest is no longer active) in concert with resource agency personnel.

Regardless of whether nesting birds are identified during pre-activity nesting bird surveys, the biological monitor shall inspect the site and any adjacent areas supporting potential nesting habitat at least every 2 weeks during project activities that are conducted during the nesting season (conservatively February 1 through August 31) and shall report monthly to the State Water Resources Control Board (State Water Board).

The additional text included within Mitigation Measure 4.5.11 clarifies how this mitigation measure would be implemented. No significant new information constituting a new significant environmental impact has been identified.

CHAPTER 4.0: EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES, SECTION 4.6

This change was made in response to Unified Port of San Diego comment A-2-47 pertaining to the sand import phase of the project. The following Air Quality Tables were updated to reflect the correct number of sand import trips, and to correct typographical errors:

Table 4.6-3: Construction Emissions by Phase (lb/day)

Task	CO	ROCs	NO _x	SO _x	PM ₁₀	PM _{2.5}	CO ₂
Debris and Pile Removal	53.8	8.2	148.4	5.2	5.4	4.7	10,846.8
Dredging of Project Site	70.0	14.6	340.7	8.6	11.3	10.3	15,171.9
Landside Staging Area, Pad Construction	<u>83.2</u>	<u>14.3</u>	<u>163.8</u>	<u>20.3</u>	<u>8.7</u>	<u>7.6</u>	<u>14,045.8</u>
Landside Staging Area, Operations	168.6	22.4	333.8	7.7	12.6	11.0	36,201.1
Covering of Sediment Near Structures	30.9 <u>42.8</u>	5.5 <u>7.1</u>	105.2 <u>128.8</u>	3.9	3.9 <u>4.7</u>	3.5 <u>4.3</u>	5,747.9 <u>8,393.6</u>
San Diego Emissions Thresholds	550	137	250	250	100	N/A	N/A
Exceed Significance Threshold?	NO	NO	YES	NO	NO	N/A	N/A

Source: LSA Associates, Inc., March 2011.

Table 4.6-4: Peak Daily Construction Emissions (lbs/day)

Activity	CO	ROCs	NO _x	SO _x	PM ₁₀	PM _{2.5}	CO ₂
Pad Construction	83.2	14.3	163.8	20.3	8.7	7.6	14,045.8
Dredging/ <u>Landside</u>	323.3	50.7	<u>928.1</u>		33.2	29.5	67,967.7
Operations	<u>335.2</u>	<u>52.3</u>	<u>951.7</u>	25.4	<u>34.0</u>	<u>30.3</u>	<u>70,613.4</u>
San Diego Emissions Threshold	550	137	250	250	100	NA ¹	NA
Exceed Significance Threshold?	NO	NO	YES	NO	NO	NO	NA

Source: LSA Associates, Inc., March 2011.

¹ No threshold has been established.

Note: Bold face numbers indicate emissions exceeding San Diego City emissions threshold.

CO = carbon monoxide

PM_{2.5} = particulate matter less than 2.5 microns in size

CO₂ = carbon dioxide

ROCs = reactive organic compounds

NO_x = nitrogen oxides

PM₁₀ = particulate matter less than 10 microns in size

SO_x = sulfur oxides

The clarification does not change the significance conclusions of the Draft PEIR. No significant new information constituting a new significant environmental impact has been identified.

CHAPTER 4.0: EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES, SECTION 4.6

This change was made in response to Unified Port of San Diego comment A-2-31 pertaining to PM_{2.5} thresholds.

As identified in Tables 4.6-3 and 4.6-4 (see previous Response to Comment A-2-47), emissions of particulate matter (PM₁₀ and PM_{2.5}) generated during dredging and dewatering activities will be relatively small. PM₁₀ emissions are well below the daily threshold and will not exceed the thresholds of significance for particulate matter. Therefore, construction activities associated with the project would result in less than significant adverse impacts related to PM₁₀ and PM_{2.5} and therefore fugitive dust as well.

This change is a clarification to reflect the fact that there are no locally adopted thresholds for PM_{2.5}. No significant new information constituting a new significant environmental impact has been identified.

CHAPTER 4.0: EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES, SECTION 4.6

This change was made in response to San Diego Coastkeeper/Environmental Health Coalition comment O-2-11 requesting clarification of Mitigation Measure 4.6.10.

Mitigation Measure 4.6.10: The contractor shall be required by contract specifications to ensure that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) are utilized to the extent 1) that the equipment is readily available and 2), if such equipment is available ~~cost~~ effective in the San Diego Air Basin (SDAB), it is also cost effective. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) prior to the initiation of dredging. The San Diego Water Board shall verify implementation of this measure.

The additional text included within Mitigation Measure 4.6.10 clarifies how this mitigation measure would be implemented. No significant new information constituting a new significant environmental impact has been identified.

CHAPTER 4.0: EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES, SECTION 4.6

This change was made in response to NASSCO comment 0-3-100 requesting clarification of the implementation of Mitigation Measure 4.6.15 as it relates to potential odor impacts.

Mitigation Measure 4.6.15: To accelerate the decomposition process and reduce odor impacts, the contractor shall apply a mixture of Simple Green and water (a ratio of 10:1) to the dredged material to the extent odor issues arise with respect to particular portions of the dredged material. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) prior to the initiation of dredging. The San Diego Water Board shall verify implementation of this measure.

The additional text included within Mitigation Measure 4.6.15 clarifies how this mitigation measure would be implemented. No significant new information constituting a new significant environmental impact has been identified.

CHAPTER 5.0: ALTERNATIVES

The revision to Mitigation Measure 4.5.11 also applies to mitigation included in Chapter 5.0 Alternatives. This change was made in response to NASSCO comment 0-3-128 requesting clarification of biological resource survey time frames.

Mitigation Measure 5.10.4.3: Eelgrass and Local Policy Conflicts. For direct and indirect eelgrass impacts at Convair Lagoon, and in accordance with the current Southern California Eelgrass Mitigation Policy (SCEMP), approximately 7.22 acres of eelgrass shall be replaced by the construction contractor and a qualified biologist through a transplant method to achieve a 1.2:1 replacement ratio for the loss of 6.01 acres of existing eelgrass, through the following methods. Prior to implementation of these methods, a pre-construction mapping survey must be completed during the active growth phase for the vegetation (typically March through October) and shall be valid for a period of 60 days with the exception of surveys completed in August–October. Surveys completed after unusual climatic events (i.e., high rainfall) may have modified requirements and surveyors should contact NMFS, CDFG, and USFWS to determine if any modifications to the standard survey procedures will be required. A survey completed in August–October shall be valid until the resumption of active growth (i.e., in most instances, March 1) in accordance with the Southern California Eelgrass Mitigation Policy (SCEMP) (National Marine Fisheries Service [NMFS], 1991 as amended) to document the amount of eelgrass that will likely be affected by dredging activity. A post-construction survey shall be conducted by a qualified biologist, retained by the construction contractor, within 30 days of project commencement and completion. These surveys shall be used to determine specific mitigation:

- a) A Final eelgrass mitigation plan shall be prepared and approved by the ACOE, acting in conjunction with the resource agencies, including the San Diego Water Board, NMFS, USFWS, EPA and the CDFG. The results of the pre-construction survey shall be integrated into a Final Eelgrass Mitigation Plan for the project and used to calculate the amount of eelgrass to be mitigated. The plan shall include details and descriptions

regarding the chosen mitigation site, transplant methods, program schedule, 5-year monitoring program, success criteria, and actions to undertake for failed mitigation goals, consistent with the SCEMP. Transplantation of eelgrass shall occur only with the written approval of the CDFG.

- b) Mitigation methods for eelgrass shall include creating eelgrass habitat at one or more locations within the San Diego Bay by raising the bay floor elevation to approximately -5 ft MLLW with dredged materials and planting eelgrass on the elevated plateau. Replacement mitigation for eelgrass may occur in one or more of the following locations, as approved by the resource agencies NMFS, USFWS, EPA, CDFG and ACOE: 1) Naval Training Center (NTC) channel; 2) Harbor Island – West Basin; 3) Adjacent to Convair Lagoon; 4) A-8 Anchorage; 4) South Bay Borrow Site; 5) South Bay Power Plant Channel; 6) South Bay Power Plant; and 7) Emory Cove Channel. Brief descriptions of these potential mitigation sites are described in Table 5-25 below.
- e) The post-construction eelgrass survey shall be submitted to the NMFS, USFWS, CDFG, and the Executive Director of the California Coastal Commission, as well as the San Diego Water Board. An eelgrass mitigation plan shall be prepared and approved by the ACOE, acting in conjunction with the resource agencies, including NMFS, USFWS, EPA, and the CDFG. The plan shall include details and descriptions regarding the chosen mitigation site, transplant methods, program schedule, 5 year monitoring program, success criteria, and actions to undertake for failed mitigation goals, consistent with the Southern California Eelgrass Mitigation Policy. Transplantation of eelgrass shall occur only with the written approval of the CDFG.
- d) Criteria for determination of transplant success at the selected mitigation site shall be based upon a comparison of vegetation coverage (area) and density (turions¹ per square meter) between the adjusted impact

¹ A turion is a specialized overwintering bud produced by aquatic herbs.

area (original impact area multiplied by 1.2 or the amount of eelgrass habitat to be successfully mitigated at the end of 5 years) and the mitigation site(s). The extent of vegetated cover is defined as that area where eelgrass is present and where gaps in coverage are less than 1 meter between individual turion clusters. Density of shoots is defined by the number of turions per area present in representative samples within the original impact area, control or transplant bed. Specific criteria are as follows:

- The mitigation site shall achieve a minimum of 70 percent area of eelgrass and 30 percent density as compared to the adjusted project impact area after the first year.
- The mitigation site shall achieve a minimum of 85 percent area of eelgrass and 70 percent density as compared to the adjusted project impact area after the second year.
- The mitigation site shall achieve a sustained 100 percent area of eelgrass bed and at least 85 percent density as compared to the adjusted project impact area for the third, fourth, and fifth years.
- The final determined amount of eelgrass to be transplanted shall be based upon the guidelines in the SCEMP. If remedial transplants at the project site are unsuccessful, then eelgrass mitigation shall be pursued at the secondary eelgrass transplant location.
- The San Diego Water Board shall verify implementation of this mitigation measure.

The typographical error regarding eelgrass surveys has been corrected. The SCEMP requires post-construction surveys within 30 days of project completion. Pre-construction surveys are required to be conducted between March and October and are generally valid for 60 days, except that surveys conducted August through October are valid until the following March. No significant new information constituting a new significant environmental impact has been identified.

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