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6.0 LONG-TERM IMPLICATIONS OF THE PROJECT

6.1 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2 (c) of the Guidelines for the California Environmental Quality Act (CEQA) require that an Environmental Impact Report (EIR) consider and discuss significant irreversible changes that would be caused by implementation of the proposed project. The CEQA Guidelines specify that the use of nonrenewable resources during the initial and continued phases of the project should be discussed because a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary and secondary impacts (such as a highway improvement that provides access to a previously inaccessible area) should also be discussed because such changes generally commit future generations to similar uses. Irreversible damage can also result from environmental accidents associated with the project and should be discussed.

The proposed Shipyard Sediment Remediation Project (proposed project) is the dredging of sediment adjacent to shipyards in the San Diego Bay; the dewatering, solidification of the dredged material (onshore or on a barge); the potential treatment of decanted water (anticipated disposal to the sanitary sewer system); and the transport of the removed material to an appropriate landfill for disposal. The study area for the sediment removal project is located along the eastern shore of central San Diego Bay, extending approximately from the Sampson Street Extension on the northwest to Chollas Creek on the southeast, and from the shoreline out to the San Diego Bay main shipping channel to the west.

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) stipulated that several agencies and/or parties caused or permitted the discharge of waste to the Shipyard Sediment Site that has resulted in the accumulation of waste in the marine sediment. The contaminated marine sediment has caused conditions of contamination or nuisance in San Diego Bay that adversely affect aquatic life, aquatic-dependent wildlife, human health, and San Diego Bay beneficial uses.

The purpose of the project is to implement a Tentative Cleanup and Abatement Order (CAO) issued by the San Diego Water Board. The Tentative CAO established alternative cleanup levels for the project that are the lowest technologically and economically achievable levels as required under California Code of Regulations (CCR) Title 23 section 2550.4(e).

The proposed project would not change the existing or allowed uses in San Diego Bay, but at a minimum, cleanup levels must fully support beneficial uses. The proposed project would not irreversibly commit or change allowed uses in the San Diego Bay as the bay has already

been committed to various uses in the existing condition including its function as a shipping channel and various beneficial uses.[1]

Similarly, implementation of the proposed project would not irreversibly commit the use of the staging sites as these sites have already been committed to urban use, including maritime industrial and parking lot use, in the existing setting. Although the exact area required for sediment management will be determined during the final design phase, it is estimated that 2 to 2.5 acres would be required. The staging area will require site preparation. The site will be graded and compacted (if necessary), and a sealing liner will be put in place if needed to prevent infiltration. An asphalt pad will then be constructed. The drying area will be surrounded by K-rails and sealed with foam and impervious fabric to form a confined area. Once the proposed project is completed, it is anticipated that the staging area would be returned to use as a parking area.

Once the dredge materials have been dried and tested, they will be loaded onto trucks for disposal at an approved landfill. For purposes of this project, it is assumed that 85 percent of the material will be transported from the staging area to Otay Landfill, which is approximately 15 miles southeast of the Shipyard Sediment Site. Although the sediment is not known to be classified as California hazardous material, it will be tested upon removal and prior to disposal. It is assumed for the purposes of this Program EIR (PEIR) that up to 15 percent of the material will require transport to a hazardous waste facility (a Class I facility), which will most likely be the Kettleman Hills Landfill in Kings County, California, near Bakersfield. Therefore the proposed project would result in the utilization of limited landfill capacity for waste disposal. It is important to note that the Kettleman Hills Landfill and the Otay Landfill are permitted landfills that are intended to serve the waste disposal needs of the County of San Diego.

Implementation of the project would result in a commitment of limited, slowly renewable, and nonrenewable resources. Such resources may include certain types aggregate materials used in concrete and asphalt such as sand and stone; water; petrochemical construction materials such as plastic; and petroleum-based construction materials. In addition, fossil fuels used by construction equipment would also be consumed. More specifically fuel would be required to operate barges and dredging equipment as well as trucks utilized to haul dredged material to landfills. Project construction will also result in an increased commitment of public maintenance services such as the treatment of decanted water via the sanitary sewer system during project implementation.

[1] The long-term beneficial uses of San Diego Bay include: Industrial Service Supply (IND); Navigation (NAV); Contact Water Recreation (REC-1); Non-contact Water Recreation (REC-2); Commercial and Sport Fishing (COMM); Preservation of Biological Habitats of Special Significance (BIOL); Estuarine Habitat (EST); Wildlife Habitat (WILD); Rare, Threatened, or Endangered Species (RARE); Marine Habitat (MAR); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development (SPWN); and Shellfish Harvesting (SHELL).

The commitment of limited, slowly renewable, and nonrenewable resources required for implementation of the proposed project would limit the availability of these resources for future generations. However, the use of such resources would be temporary, the project would not substantially limit the availability of these resource during project implementation, and the proposed project would not commit future generations to the long-term use of these resources (i.e., it would cease upon project implementation).

6.2 GROWTH-INDUCING IMPACTS

Sections 15126(d) and 15126.2(d) of the State CEQA Guidelines require that an EIR analyze growth-inducing impacts and state that an EIR should discuss the ways in which the project could foster economic or population growth or construction of additional housing, either directly or indirectly, in the surrounding environment. It should be noted that growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment (CEQA Guidelines section 15126.2(d)).

Employment demand generated by new commercial and industrial development and new population generated by new residential development represent direct forms of growth. A project may indirectly induce growth by removing barriers to growth, or by creating a condition that attracts additional population or new economic activity.

The extent to which the new jobs created by a project are filled by existing residents is a factor that reduces the growth-inducing effects of the project. Jobs created by the proposed project would be limited to short-term design, engineering, and construction-related jobs and jobs associated with the operation of barges, dredging equipment, treatment of sediment removed from the bay, and transportation of the sediment to area landfills. These jobs would be temporary, lasting until the proposed project is completed.

The County of San Diego has a civilian labor force of approximately 1,551,000 with approximately 151,500 people unemployed.[1] The unemployment rate in San Diego County (County) was 9.8 percent in April 2011. This compares with an unadjusted unemployment rate of 11.7 percent in California and 8.7 percent for the nation during the same period. This suggests an available local and regional labor pool to serve the short-term employment opportunities offered by the proposed project. Because of the general availability of local and regional labor resources and the current unemployment rates in the County, there would be an opportunity to hire local employees to fill the proposed project's employment needs. It is unlikely that a substantial number of employees would need to be relocated from outside the region. Therefore, implementation of the proposed project would not induce substantial

[1] Employment Development Department. 2011. San Diego-Carlsbad-San Marcos Metropolitan Division (San Diego County). May 20, 2011. http://www.calmis.ca.gov/file/lfmonth/sand$pds.pdf. Accessed May 2011.

population growth and is unlikely to result in a permanent increase in population within the San Diego region. Given the fact that the project would result in a relatively small number of additional employment opportunities and that it is likely that those positions would be filled by current, local residents, the project would also not result in the need for the construction of additional housing units. Overall, the project is not anticipated to induce migration to the area and, consequently, would have little effect on local population size. As such, the potential for population growth or construction of additional housing as a result of project implementation is negligible.

In addition, the proposed project is not anticipated to contribute substantially to economic growth in the region. As previously stated, the proposed project would not change or augment allowed uses in the San Diego Bay as the bay has already been committed to various uses in the existing condition including its function as a shipping channel. While persons employed during project implementation may seek shopping, entertainment, auto maintenance, and other economic opportunities in the surrounding area, the overall impact of such demand would be minimal in comparison to the overall economy of San Diego County. Further, such demand would cease upon project completion. Therefore, the proposed project is not anticipated to substantially contribute to long-term economic growth in the region.

Finally, the proposed project is not anticipated to remove any existing obstacles to growth. San Diego Bay is located along the shoreline of an urbanized area and proposed staging areas are surrounded by a variety of urban uses. Implementation of the proposed project would not require infrastructure improvements except for those necessary to connect to existing utilities (e.g., drains connecting to sanitary sewers). Therefore, the proposed project is not considered to be growth inducing with respect to utilities and service systems. Similarly, the proposed project would not require improvements to local roadways or intersections. Trucks hauling sediment to waste disposal facilities will utilize existing roadways and designated haul routes. Therefore, the proposed project is not considered to be growth inducing with respect to roadways. The proposed project would not induce growth in the County of San Diego or removal obstacles to growth in the region.

6.3 SIGNIFICANT EFFECTS THAT CANNOT BE AVOIDED

Section 15126.2(b) of the State CEQA Guidelines requires that an EIR describe significant environmental impacts that cannot be avoided, including those effects that can be mitigated but not reduced to a less than significant level. The Executive Summary of this document contains a detailed summary table that identifies the project's environmental impacts, proposed mitigation measures, and the level of significance of those impacts after mitigation. The following is a summary of the impacts that are considered significant adverse and unavoidable after all mitigation is applied. These impacts are also described in detail in Chapter 4.0, Existing Environmental Setting, Environmental Analysis, Impacts, and Mitigation Measures.

6.3.1 Air Quality

The proposed Shipyard Sediment Remediation Project would result in significant unavoidable construction-related adverse air quality impacts of oxides of nitrogen (NO_X) (which is a precursor to ozone [O_3]) emissions, even after the implementation of feasible standard conditions and mitigation measures. While the adherence to San Diego Air Pollution Control District (APCD) rules and regulations and identified mitigation measures would reduce this impact, it would remain significant and adverse because the City daily threshold for NO_X would be exceeded. There are no other feasible mitigation measures that are available to offset this significant impact.

Construction activities for the Shipyard Sediment Remediation Project would also contribute to construction-related adverse cumulative air quality impacts because the San Diego Air Basin (SDAB) is presently in nonattainment for O_3, and the proposed project, in conjunction with other planned projects, would contribute to the existing nonattainment status for O_3. Therefore, the cumulative construction air quality impacts of the proposed project would remain significant.

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7.0 MITIGATION MONITORING AND REPORTING PROGRAM

7.1 MITIGATION MONITORING REQUIREMENTS

Public Resources Code (PRC) section 21081.6 (enacted by the passage of Assembly Bill 3180) mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.
- The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.
- A public agency shall provide the measures to mitigate or avoid significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or in the case of the adoption of a plan, policy, regulation, or other project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
- Prior to the close of the public review period for a Draft Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND), a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures that mitigate impacts to resources that are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit that authority of the

responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

7.2 MITIGATION MONITORING PROCEDURES

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in compliance with California Environmental Quality Act (CEQA) PRC section 21081.6. It describes the requirements and procedures to be followed by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) to ensure that all mitigation measures adopted as part of the proposed project will be carried out as described in this Program EIR (PEIR).

Table 7-1 lists each of the mitigation measures specified in this PEIR and identifies the party or parties responsible for implementation and monitoring of each measure.

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.1 Traffic and Circulation			
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 activity. 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.	San Diego Water Board	Ongoing during the dredge and haul activity
Mitigation Measure 4.1.2:	Should Staging Area 5 be selected, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall consult with the San Diego Association of Governments (SANDAG) and the San Diego Unified Port District (Port District) on the implementation status of Segment 5 of the Bayshore Bikeway in order to locate the staging activity away from the planned bike path. The consultation shall include information regarding the specific location, configuration, and operation of the temporary staging area, as well as appropriate bikeway safety and access considerations. If Staging Area 5 is selected, the contractor shall implement the staging area as agreed to by the agencies.	San Diego Water Board, in consultation with SANDAG and the Port District	Ongoing during the dredge and haul activity
Mitigation Measure 4.1.3:	Should one or more of Staging Areas 1 through 4 be selected, the shipyards, in consultation with the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), San Diego Unified Port District (Port District), and City of San Diego, shall prepare a Parking Management Plan (PMP) to identify appropriate substitute parking areas, shuttles, and commuter routes, as necessary, to meet the need created by the short-term loss of employee parking spaces. The need for off-site parking shall be based on anticipated employment during the dredge period (which may be reduced compared to existing conditions as a result of the dredge activity displacing some ship building/repair activity), and the loss of parking in the selected staging area. The PMP shall be approved by the City of San Diego Traffic Engineer prior to the initiation of dredging, and	Shipyards, in consultation with the San Diego Water Board, the Port District and the City of San Diego	Plan approval prior to the initiation of dredging, and implementation ongoing during the dredge and haul activity

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	its implementation shall be verified by the San Diego Water Board.		
4.2 Hydrology and Water Quality			
Mitigation Measure 4.2.1:	During dredging operations, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify that the contractor/dredge operator is using automatic rather than manual monitoring of the dredging operations, which will allow continuous data logging with automatic interpretation and adjustments to the dredging operations for real-time feedback for the dredge operator. Automatic systems shall also be used to monitor turbidity and other water quality conditions in the vicinity of the dredging operations to facilitate real-time adjustments by the dredging operators to control temporary water quality effects. The automatic systems shall include threshold level alarms so that the operator or other appropriate project personnel recognize that a particular system within the operation has failed. If the threshold-level alarms are activated, the dredge operator shall immediately shut down or modify the operations to reduce water quality constituents to within threshold levels. The San Diego Water Board shall further verify that the contractor/dredge operator is using visual monitoring and recording of water turbidity during the dredging operations, including the temporary cessation of dredging if exceedances of the turbidity objective in the Basin Plan occur. Water quality sampling for contaminants of concern (COCs) shall be required if silt curtains are not deployed during any phase of the in-water activities.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging operations
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:	Contractor, as verified by the San Diego Water Board	Ongoing during dredging operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
• 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 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		

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	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.		
Mitigation Measure 4.2.3:	During dredging operations, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify that the contractor is deploying inner- and outer-boundary floating silt curtains fully around the dredging area at all times. Double silt curtains shall be utilized	Contractor, as verified by the San Diego Water Board	Ongoing during dredging operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	for containment of the dredge area; configurations, technologies, and actual locations of silt curtains in relation to the dredge barge shall be finalized during the design phase of the project. The floating silt curtain shall be comprised of connected lengths of Type III geotextile fabric. A continuous length of floating silt curtain shall be arranged to fully encircle the dredging equipment and the scow barge being loaded with sediment. The silt curtain shall be supported by a floating boom in open water areas (such as along the bay ward side of the dredging areas). Along pier edges, the contractor shall have the option of connecting the silt curtain directly to the structure. The contractor shall continuously monitor the silt curtain for damage, dislocation, or gaps and immediately fix any locations where it is no longer continuous or where it has loosened from its supports. The bottom of the silt curtain shall be weighted with ballast weights or rods affixed to the base of the fabric. Where feasible and applicable, the floating silt curtains shall be anchored and deployed from the surface of the water to just above the substrate. If necessary, silt curtains with tidal flaps may be installed to facilitate curtain deployment in areas of higher flow. Air curtains may be used in conjunction with silt curtains to contain resuspended sediment, 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.		
Mitigation Measure 4.2.4:	Throughout the remediation process of dredging and application of the clean sand covers, the contractor shall conduct water quality monitoring to demonstrate that implementation of the remedial activities does not result in violations of water quality objectives in the Basin Plan outside of the construction area. The contractor shall submit weekly water quality reports to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). If water quality objectives are violated, the San Diego Water Board may temporarily halt activity and impose additional required measures to protect water quality.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
Mitigation Measure 4.2.5:	Prior to initiation of dredging activities, the contractor shall determine the swing radius of the unloading equipment and shall place a steel plate (swing tray or spill plate) between the material barge and the hard cape to prevent spillage from falling directly into the water. The steel plate shall be sufficiently large enough to cover the swing radius of the unloading equipment. The spill plate shall be designed to prevent any "drippings" from falling between the material barge and dock where the unloading equipment is stationed. The spill plate shall be positioned so that any "dripped" material/water either runs back into the material barge or onto the unloading dock, which shall be lined with an impermeable material and beamed to contain excess sediment/water. The steel plate shall be designed to prevent any water or sediment from re-entering San Diego Bay. As a secondary containment measure, filter fabric material shall be placed over the spill plate and between edges of the barge and unloading dock to prevent any drippings from falling into San Diego Bay. Upon completion of unloading a material barge, the spill plate shall be thoroughly rinsed so that excess sediment is drained into the material barge or onto the unloading dock (depending on spill plate positioning) and then placed on the lined dock until the next unloading sequence. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall be responsible for ensuring adherence to the requirements of this measure.	Contractor, as verified by the San Diego Water Board	Prior to initiation of and ongoing during dredging and sediment unloading operations
Mitigation Measure 4.2.6:	During dredging activities, the contractor shall ensure that the environmental clamshell bucket is entirely closed when withdrawn from the barge and moved to the truck. In addition, the contractor shall ensure that the bucket is completely empty of sediment prior to being moved back to the barge to minimize sediment being spilled over the dock. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall be responsible for ensuring adherence to the requirements of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
Mitigation Measure 4.2.7:	During final design of the clean sand covers, the sand layer thickness shall designed to prevent substantial perturbation (mixing and overturning) of underlying contaminated sediments, erosion (e.g., propeller wash), and the upward chemical migration into the clean sand covers. The clean sand cover design shall physically isolate the sediments from benthic or epigenetic organisms to prevent the uptake of bioaccumulative contaminants (i.e., polychlorinated biphenyls [PCBs]) by aquatic organisms either directly from the sediments or by foraging on benthos. The physical isolation component of the clean sand covers may include separate sub-components for isolation, bioturbation, and consolidation. The clean sand covers shall be designed to stabilize the contaminated sediments being covered and prevent them from being resuspended and transported off site. In addition, the clean sand covers shall be designed to be resistant to erosion, including propeller wash, flow, and tidal-induced erosion. The final engineering plans shall include the source and type of sand required for subaqueous application of the clean sand covers. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall review and have approval authority for the final engineering plans, and shall verify implementation. A regulatory oversight contractor may be used by the San Diego Water Board.	San Diego Water Board	Ongoing during application of clean sand cover
Mitigation Measure 4.2.8:	During application of the clean sand covers, the contractor shall place the initial layers of the clean sand cover in thin lifts by hydraulically placing the material from a barge in order to reduce the vertical impact and lateral spreading of the clean sand cover material and the potential for resuspending the contaminated surface sediments. Controlled placement shall also minimize the mixing of the clean sand covers and underlying sediment by allowing the sediment to slowly gain strength before subsequent layers are deposited. Operational controls such as silt curtains shall also be employed during placement of the clean sand covers. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), with the assistance of a regulatory oversight	Contractor, as verified by the San Diego Water Board	Ongoing during application of clean sand cover

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	contractor, shall be responsible for ensuring adherence to the requirements of this measure.		
Mitigation Measure 4.2.9:	Prior to dredging operations, a Dredging Management Plan (DMP) shall be prepared. The contractor shall implement the measures listed in the DMP during dredging operations. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall be responsible for review and approval of the DMP. The DMP shall contain Standard Operating Procedures (SOPs) for the project to assist the dredge contractor in preventing accidental spills and providing the necessary guidelines to follow in case of an oil or fuel spill. In addition to providing SOPs to prevent accidental oil/fuel spills during construction activities, the DMP shall address the identification of dredging needs, a methodology and process for determining dredging priorities and scheduling, the feasibility and requirements for expedited permitting, Quality Assurance Project Plan (QAPP) to comply with regulatory requirements, alternatives for control and operation of dredging equipment, and Best Management Practices (BMPs) to implement in the event of equipment failure and/or repair. Typical BMPs for equipment failure or repair shall be identified in the DMP and could include: communication to project personnel, proper signage and/or barriers alerting others of potentially unsafe conditions, all repair work to be conducted on land and not over water, repair work involving use of liquids to be performed with proper spill containment equipment (e.g., spill kit), and a contingency plan identifying availability of other equipment or subcontracting options. Furthermore, the DMP shall specify that water discharges to San Diego Bay are prohibited; therefore, the barge shall implement measures necessary to capture all return water and prevent discharge to San Diego Bay. In addition, the DMP shall include, at a minimum, the following measures to prevent accidental oil/fuel spills during construction activities:	Contractor, as verified by the San Diego Water Board	Prior to initiation of and ongoing during dredging operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
• As an operational control element, all oil and fuel shall be housed in a secondary containment structure to ensure that any spill or leakage is prevented from entering the water column. • Personnel involved with dredging and handling the dredged material shall be given training on the potential hazards resulting from accidental oil and/or fuel spills. This operational control shall provide the personnel with an awareness of the materials they are handling as well as the potential impact to the environment. • All equipment shall be inspected by dredge contractor personnel before starting the shift. These inspections are intended to identify typical wear or faulty parts that may contain oil or fuel. • Personnel shall 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 shall be immediately shut down and the source of the spill identified and contained. Additionally, the spill shall be reported to the applicable agencies presented in the DMP. • The shipyards currently have oil/fuel spill kits located at various locations on site for routine ship repair operations. All personnel associated with dredging activities shall be trained on where these spill kits are located, how to deploy the oil sorbent 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 shall be deployed surrounding the dredging activities. In the event that a spill occurs, the oil and/or fuel shall be contained within the oil boom boundary. This operational control shall be the last line of defense against accidental oil/fuel spill occurrences.		

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	The oil boom shall be deployed along the entire length of the outer silt curtain. The San Diego Water Board shall be responsible for verifying adherence to the requirements of this measure.		
Mitigation Measure 4.2.10:	The containment area constructed around the dewatering containment cell shall be designed to consist of berms (K-rails and/or dry dock blocks) surrounding the area that restrict decanted water/storm water to the land adjacent to the dewatering containment and prevent the water from flowing into San Diego Bay or the water table if a breach in the pad were to occur. If any area(s) adjacent to the dewatering containment cell are unpaved, a liner shall be utilized if necessary to prevent infiltration. The containment cell shall be designed as a "no discharge" facility and in a manner that prevents storm water runoff/run-on from adjacent areas to the cell from entering the dewatering area. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall review and approve the design of the dewatering containment cell and verify its implementation in accordance with approved plans.	Contractor, as verified by the San Diego Water Board	Prior to initiation of and ongoing during dewatering operations
Mitigation Measure 4.2.11:	If a containment liner is used, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify that the contractor has provided a salvaging layer of sand that is properly designed and implemented to provide a visual indicator to the excavator operator that he/she is getting close to the containment liner, or the use of closely spaced K-rails and dry dock blocks at key points (i.e., corners) to prevent the operator from getting to the containment liner, in order to prevent a breach in the dewatering pad.	Contractor, as verified by the San Diego Water Board	Ongoing during dewatering operations
Mitigation Measure 4.2.12:	During dewatering operations, the contractor shall comply with the provisions of the *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit) (Order No. 2009-0009-DWQ, NPDES No. CAS000002), and any	Contractor, as verified by the San Diego Water Board	Ongoing during dewatering operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	subsequent permit, as they relate to activities conducted in the staging areas. This shall include submission of the Permit Registration Documents, including a Notice of Intent (NOI), risk assessment, site map, Storm Water Pollution Prevention Plan (SWPPP), annual fee, and signed certification statement to the State Water Resources Control Board (State Water Board) via the Storm Water Multi-Application and Report Tracking System (SMARTS) at least 7 days prior to the start of dewatering activities at the staging areas. Construction activities shall not commence until a Waste Discharger Identification (WDID) number is received from the SMARTS. The SWPPP shall be prepared by a Qualified SWPPP Developer (QSD); shall meet the requirements of the Construction General Permit; and shall identify potential pollutant sources associated with dewatering activities, identify non-storm water discharges, and identify, implement, and maintain Best Management Practices (BMPs) to reduce or eliminate pollutants associated with the construction site. BMPs shall include, but not be limited to, Good Housekeeping, Erosion Control, and Sediment Control. The BMPs identified in the SWPPP shall be implemented during project construction. An Annual Report shall be submitted using the SMARTS no later than September 1 of each year during dewatering operations. A Notice of Termination (NOT) shall be submitted to the State Water Board within 90 days of completion of dewatering activities and stabilization of the site. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall be responsible for verifying the contractor's adherence to the requirements of this measure.		
Mitigation Measure 4.2.13:	Prior to any discharge to the sanitary sewer system, the contractor shall ensure that the decanted water is analytically tested following the discharge requirements for the San Diego Publically Owned Treatment Works (POTW). If water samples exceed the City of San Diego requirements for discharge of wastewater to the sanitary sewer system, the water shall be taken off site for treatment and subsequent disposal. In addition, the contractor shall comply with any limits on pollutant concentrations,	Contractor, as verified by the San Diego Water Board	Prior to any discharge to the sanitary sewer system

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	discharge times, and flow rates required by the City of San Diego. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall be responsible for verifying the contractor's adherence to the requirements of this measure.		
Mitigation Measure 4.2.14:	The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall coordinate water quality monitoring efforts and share water quality monitoring data with other dredging projects in San Diego Bay throughout the duration of the project. Considerations for the issuance of dredge permits or General Waste Discharge Requirements (WDRs) shall include distance(s) between sites and proposed timing of in-water activities that shall involve potential impacts to water quality, selection of appropriate water quality reference sampling locations in San Diego Bay, configuration of silt curtains, and coordination of expected commercial and recreational vessel traffic.	San Diego Water Board	Ongoing during dredging operations
4.3 Hazards and Hazardous Waste			
Mitigation Measure 4.3.1:	**Secondary Containment.** As an operational control element, the contractor shall ensure, and the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will verify, that all oil and fuel is housed in a secondary containment structure to ensure that spilled or leaked oil or fuel will be prevented from entering the water column.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging and dewatering operations
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:	Contractor, as verified by the San Diego Water Board	Prior to and ongoing during dredging operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
o Potential hazards resulting from accidental oil and/or fuel spills; o Proper dredging equipment operation; and o Proper silt curtain deployment techniques. • 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 oil boom shall be deployed along the entire length of the outer silt curtain. • 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.		

Table 7-1: Mitigation and Monitoring Reporting Program

	Mitigation Measures	Responsible Party	Timing for Mitigation Measure
	• 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. Implementation of the DMP will be verified by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).		
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 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: o Communication to project personnel; o Proper signage and/or barriers alerting others of potentially unsafe conditions; o Specification for repair work to be conducted on land and not over water; o Identification of proper spill containment equipment (e.g., spill kit); o A plan identifying availability of other equipment or subcontracting options;	Contractor, as verified by the San Diego Water Board	Prior to and ongoing during dredging operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	o Emergency procedures to follow in the event of a silt curtain breach; o Incident reporting and review procedure to evaluate the causes of an accidental silt curtain breach and steps to avoid further breaches; and o Response procedures in the event of barge overfill. Implementation of the Contingency Plan will be verified by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).		
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 • 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	Contractor, as verified by the San Diego Water Board	Prior to and ongoing during dredging operations

Table 7-1: Mitigation and Monitoring Reporting Program

	Mitigation Measures	Responsible Party	Timing for Mitigation Measure
	Implementation of the H&S Plan will be verified by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).		
Mitigation Measure 4.3.5:	**Communication Plan.** The contractor shall ensure that a Communication Plan and operational guidelines are developed between the Port of San Diego and/or the Harbor Master and all vessel operators prior to the initiation of dredging to ensure the safe movement of project vessels from the dredge to the unloading area. Features of the Communication Plan will include: • Identification of vessel speed limitations (wake/no wake); and • Notification to project personnel using air horns as necessary. Implementation of the Communication Plan for the duration of the dredging activity will be verified by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).	Contractor, as verified by the San Diego Water Board	Prior to and ongoing during dredging operations
Mitigation Measure 4.3.6:	**Sediment Management Plan.** The contractor shall implement Best Management Practices (BMPs) and follow Standard Operating Procedures (SOPs) during sediment unloading, transport, drying/dewatering, and disposal operations for the duration of the dredging activity. At a minimum, these BMPs/SOPs will include: • Mechanical stops to limit the swing arm of the crane; • Placement of a spillage plate to prevent any dropped sediment from impacting the water column; • Conveyance of sediment on the spillage plate to a collection sump; • Utilization of a power wash arm to clean sediment from equipment into the collection sump;	Contractor, as verified by the San Diego Water Board	Ongoing during dredging and dewatering operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
• Contractor identification of haul truck load limits on first load each day; • Driver training and enforcement of safe driving procedures; • Only liquid drying agents will be utilized to avoid airborne release of these materials; • Implementation of a dust control and monitoring plan during sediment staging; • The stockpile liner will be protected from excavator penetration by a visual indicator such as sand, or by physical barriers such as railroad rails or K-rails; • Decanted water from sediment and any storm water in the staging area will be managed by sloping the staging area to a common sump or pond (containment cell) or pumped to a series of tanks. The containment device(s) will be designed to meet a performance standard of "no discharge" so that storm water runoff cannot enter the bay or adjacent areas and to ensure that storm water surrounding areas cannot penetrate the containment area. The containment device(s) will be inspected daily during sediment staging. Prior to discharge, the liquid will be tested to evaluate whether it meets discharge criteria for the San Diego Publically Owned Treatment Works (POTW) or if treatment is required prior to discharge; • Sediment loading for transport off site will be conducted in a contained area, and haul trucks will be power washed prior to exit to prevent sediment from being discharged to the bay or surrounding area; and • All hazardous materials (liquid, sediment, or chemicals used during the project) will be handled, transported, and disposed of at the proper disposal facility in accordance with state regulations.		

Table 7-1: Mitigation and Monitoring Reporting Program

	Mitigation Measures	Responsible Party	Timing for Mitigation Measure
	Implementation of these BMPs/SOPs will be verified by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).		
Mitigation Measure 4.3.7:	**Hazardous Materials Transportation Plan.** Prior to the initiation of dredging, the contractor shall prepare and implement a Hazardous Materials Transportation Plan for the duration of the dredging activity that specifies the following procedures: • Sediment containment procedures • Emergency notification procedures The Hazardous Materials Transportation Plan will be subject to review by, and its implementation will be verified by, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).	Contractor, as verified by the San Diego Water Board	Prior to and ongoing during dredging and transportation operations
Mitigation Measure 4.3.8:	**Traffic Control Plan.** The contractor shall prepare a Traffic Control Plan that will be developed prior to the initiation of dredging and implemented for off-site transport of the sediment, and will include, but not be limited to, the following information: • Planned haul truck routes • Haul truck escorts, if required • In case of accidental spillage, emergency vehicle access and sediment containment and removal procedures The Traffic Control Plan will be subject to approval by the City of San Diego and/or the National City Traffic Engineer, and implementation for the duration of the dredging activity will be verified by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).	Contractor, as verified by the San Diego Water Board	Prior to and ongoing during dredging and off-site transportation operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.4 Noise			
Mitigation Measure 4.4.1:	The contractor shall ensure, and the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) and City of San Diego Noise Control Officer shall verify, that treatment and haul activity in the City of San Diego is prohibited between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in section 21.04 of the San Diego Municipal Code, with the exception of Columbus Day and Washington's Birthday, or on Sundays, that would create disturbing, excessive, or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator in conformance with San Diego Municipal Code section 59.5.0404.	Contractor, as verified by the San Diego Water Board and City of San Diego Noise Control Officer	Ongoing during treatment and haul operations
Mitigation Measure 4.4.2:	The contractor shall ensure, and the National City Noise Control Officer and California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify, that treatment and haul activity in National City is prohibited between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on weekends or holidays as specified in section 12.10.160 of the City of National City Municipal Code.	Contractor, as verified by the San Diego Water Board and the National City Noise Control Officer	Ongoing during treatment and haul operations
Mitigation Measure 4.4.3:	The contractor shall implement, and the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify, the following for the duration of project implementation (dredging, treatment, and loading) in order to reduce potential construction noise impacts on nearby sensitive receptors: • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards. • All stationary construction equipment shall be placed so that emitted noise is directed away from sensitive receptors nearest the project site.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging, treatment and loading operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
• All equipment staging shall be located to create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site.		
4.5 Biological Resources		
Mitigation Measure 4.5.1: A pre-construction eelgrass habitat mapping survey for the Shipyard Sediment Site shall be completed by the shipyards within 120 days of the proposed start dates of each project phase 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. The results of these surveys shall be integrated into a Final Eelgrass Mitigation Plan prepared by the shipyards for the project and used to calculate the amount of eelgrass to be mitigated. The Final Eelgrass Mitigation Plan shall be subject to approval by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) and NMFS, and shall include the following elements: • A detailed map of the area including distribution, density and relationship to depth contours of any eelgrass beds likely to be impacted by project construction. • The identification of mitigation site factors such as distance from project, depth, sediment type, distance from ocean connection, water quality, and currents should be considered in evaluating potential sites. • Techniques for the construction and planting of the eelgrass mitigation site consistent with the best available technology at the time of the project. • Proposed mitigation timing schedule. • Proposed mitigation monitoring activities.	Shipyards, as verified by the San Diego Water Board, in concert with the appropriate resource agencies	Prior to dredging and post-dredging operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
A post-dredging project eelgrass survey shall be completed by the shipyards within 30 days of the completion of each dredging episode in accordance with the SCEMP and shall be submitted to the NMFS, United States Fish and Wildlife Service (U.S. FWS), California Department of Fish and Game (CDFG), and the Executive Director of the California Coastal Commission (CCC), as well as the San Diego Water Board. Criteria for determination of transplant success shall be based upon a comparison of vegetation coverage (area) and density (turions[1] per square meter) between the project adjusted impact 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.		

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	The amount 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.		
Mitigation Measure 4.5.2:	In order to protect sea turtles that could potentially forage within and among eelgrass beds identified at or near the project site, the project marine biologist shall mark the positions of eelgrass beds with buoys prior to the initiation of any construction to minimize damage to turtles foraging within eelgrass beds outside the construction zone. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify that buoys have been properly placed.	Project Marine Biologist as verified by the San Diego Water Board	Prior to and throughout dredging operations and application of clean sand cover
Mitigation Measure 4.5.3:	The project marine biologist shall meet with the construction crews prior to dredging as well as periodically throughout the project to review pre-dredge survey areas of eelgrass beds to avoid those located adjacent to the project site and to review proper construction techniques. A training log shall be maintained by the project marine biologist and shall be submitted monthly to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), who shall verify implementation of this measure.	Project Marine Biologist as verified by the San Diego Water Board	Prior to and periodically throughout dredging operations and application of clean sand cover
Mitigation Measure 4.5.4:	The contractor shall ensure that throughout the duration of dredge and clean sand cover placement activities, project-related barges and work vessels operating in areas where eelgrass beds exist shall be operated in a manner to ensure that eelgrass beds are not impacted through grounding, propeller damage, or other activities that may disturb the seafloor. Such measures shall include speed restrictions, establishment of off-limit areas, and use of shallow draft vessels. The project marine biologist shall periodically confirm that these measures are implemented and shall submit a monthly monitoring report to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).	Contractor and Project Marine Biologist, as verified by the San Diego Water Board	Ongoing throughout dredging operations and application of clean sand cover

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
Mitigation Measure 4.5.5:	The contractor shall ensure that throughout the duration of dredge and clean sand cover placement activities, barges and work vessels shall be operated in a manner to ensure that sea turtles and marine mammals are not injured or harassed through excessive vessel speed or propeller damage. Such measures shall include speed restrictions, establishment of off-limit areas, and use of shallow draft vessels. The project marine biologist shall periodically confirm that these measures are implemented and shall submit a monthly monitoring report to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board).	Contractor and Project Marine Biologist, as verified by the San Diego Water Board	Ongoing throughout dredging operations and application of clean sand cover
Mitigation Measure 4.5.6:	The contractor shall ensure that construction crews and work vessel crews are briefed daily on the potential for sea turtles and marine mammals to be present and provided with identification characteristics of sea turtles, seals, sea lions, and dolphin. The project marine biologist shall periodically confirm that this measure is implemented and include verification in a monthly monitoring report.	Contractor and Project Marine Biologist, as verified by the San Diego Water Board	Ongoing throughout dredging operations and application of clean sand cover
Mitigation Measure 4.5.7:	The contractor shall ensure that all construction activity be temporarily stopped if a sea turtle or marine mammal is sighted within 100 meters of the construction zone until the sea turtle or marine mammal is safely outside the outer perimeter of project activities. The biological monitor, who will be on site periodically during dredging activities, shall have the authority to halt construction operation and shall determine when construction operations can proceed. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify implementation of this mitigation measure.	Contractor and Project Marine Biologist, as verified by the San Diego Water Board	Ongoing throughout dredging operations and application of clean sand cover
Mitigation Measure 4.5.8:	The biological monitor shall prepare an incident report of any green sea turtle or marine mammal activity in the project area and shall inform the contractor to have his/her crews be aware of the potential for additional sightings. The report shall be provided within 24 hours to the California Department of Fish and Game (CDFG) and National Marine Fisheries Service (NMFS). In the event a sea turtle, pinniped, or cetacean is injured or killed as consequence of a collision, the vessel operator and the	Project Marine Biologist, as verified by the San Diego Water Board	Upon sighting or green sea tutle or marine mammal during dredging operations and application of clean sand cover

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	appointed shipyard safety personnel shall be required to immediately notify the NMFS (Southwest Division) and shall submit a written, follow-up report within 24 hours of the incident. Any injured sea turtle or marine mammal shall be transported to an agency-approved treatment facility. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify implementation of this mitigation measure.		
Mitigation Measure 4.5.9:	A qualified biologist familiar with the California least tern and other special-status seabirds and waterfowl shall be retained and be on site to assess the roosting and foraging behavior of special-status seabirds and waterfowl at the Shipyard Sediment Site and selected staging area(s) immediately prior to and during the initial start-up phase of dredging and clean sand cover placement activities. Once it has been determined that activities are not adversely affecting seabirds and waterfowl, the biologist shall not be required to be on site continuously; however, monitoring shall be performed at least once per week (or more often if required by the resource agencies) to adequately assess whether substantial adverse impacts to special-status seabirds and waterfowl are resulting from project activities (e.g., disrupting nesting or foraging activities, harassing roosting birds). The biologist shall be present during either of the selected dredge scheduling options. In the event of an imminent threat to California least tern and/or other special-status species, the monitor shall immediately contact the contractor's construction manager. In the event the construction manager/contractor is not available, the monitor shall have the authority to redirect or halt construction activities if determined to be necessary. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) shall verify implementation of this mitigation measure.	Project Biologist, as verified by the San Diego Water Board	Prior to and ongoing throughout dredging operations and application of clean sand cover
Mitigation Measure 4.5.10:	If Staging Area 5 is selected, prior to initiation of dredging and during final design, the contractor shall endeavor to restrict dewatering and treatment activities to within the western and northern portions of the staging area to the extent feasible. To the extent practicable, activities shall be conducted in locations where existing buildings obstruct sensitive habitat areas from	Shipyards and San Diego Water Board	Prior to initation of dredging operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	noise sources. The staging area layout shall be submitted to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) (and to the resource agencies, if required) for review and approval.		
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. The biological monitor shall inspect the site 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).	Project Biologist , as verified by the San Diego Water Board	Not less than 30 days prior to initiation of dredging operations and on going every 2 weeks or more frequently during nesting season
4.6 Air Quality			
Mitigation Measure 4.6.1:	The contractor shall be required by contract specifications to ensure that dredging, treatment, and haul activities are timed so as not to interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the site. If necessary, a flag person shall be retained by the construction supervisor to maintain safety adjacent to existing roadways. 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 issuance of construction permits. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging, treatment and haul activity
Mitigation Measure 4.6.2:	During dredging and dewatering activities, the contractor shall support and encourage ridesharing and transit incentives for the construction crew. These specifications shall be included in the proposed project's construction documents, which shall be reviewed by the California Regional Water	Contractor, as verified by the San Diego Water Board	Ongoing during dredging, and dewatering operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	Quality Control Board, San Diego Region (San Diego Water Board) prior to the issuance of a construction permit.		
Mitigation Measure 4.6.3:	During dredging and dewatering activities, the contractor shall ensure that on-site vehicle speed shall be limited to 15 miles per hour (mph). 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 issuance of construction permits. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging, and dewatering operations
Mitigation Measure 4.6.4:	During dredging and dewatering activities, the contractor shall ensure that all on-site roads are paved. 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 issuance of construction permits. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging, and dewatering operations
Mitigation Measure 4.6.5:	During dredging and dewatering activities, the contractor shall adhere to San Diego Air Pollution Control District (APCD) Rule 55 to ensure that all material excavated or graded is sufficiently watered to prevent airborne dust from being visible beyond the property line. Watering with complete coverage, and/or surfactants shall be applied to stockpiles of dirt, inactive construction areas, and construction roads if and as necessary. 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 issuance of construction permits. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging, and dewatering operations
Mitigation Measure 4.6.6:	During dredging and dewatering activities, the contractor shall ensure that all earthmoving activities cease during periods of high winds (i.e., greater than 25 mph averaged over 1 hour). Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the California Regional Water Quality Control Board, San	Contractor, as verified by the San Diego Water Board	Ongoing during dredging, and dewatering operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	Diego Region (San Diego Water Board) prior to the issuance of construction permits. The San Diego Water Board shall verify implementation of this measure.		
Mitigation Measure 4.6.7:	During dredging and dewatering activities, the contractor shall ensure that all material transported off site is either sufficiently wet or securely covered to prevent excessive amounts of dust. In addition, per San Diego Air Pollution Control District (APCD) Rule 55, the construction contractor shall ensure that visible roadway dust from track-out/carry-out be minimized. 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 issuance of construction permits. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging, treatment and haul activity
Mitigation Measure 4.6.8:	The contractor shall be required by contract specifications to ensure that all diesel-powered equipment used are retrofitted with after-treatment products (e.g., engine catalysts) to the extent that they are readily available in the San Diego Air Basin (SDAB). 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 issuance of a construction permit. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dewatering and treatment operations
Mitigation Measure 4.6.9:	The contractor shall be required by contract specifications to ensure that all heavy-duty diesel-powered equipment operating and refueling at the project site use low oxides of nitrogen (NO_X) diesel fuel to the extent that it is readily available and cost effective (up to 125 percent of the cost of California Air Resources Board [ARB] diesel) in the San Diego Air Basin (SDAB). (This does not apply to diesel-powered trucks traveling to and from the project site.) 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 issuance of a construction permit.	Contractor, as verified by the San Diego Water Board	Ongoing during dewatering and treatment operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	The San Diego Water Board shall verify implementation of this measure.		
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 that the equipment is readily available and cost effective in the San Diego Air Basin (SDAB). 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 issuance of a construction permit. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dewatering and treatment operations
Mitigation Measure 4.6.11:	The contractor shall be required by contract specifications to ensure that construction equipment engines are maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. 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 issuance of a construction permit. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dewatering and treatment operations
Mitigation Measure 4.6.12:	The contractor shall be required by contract specifications to ensure that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, is turned off when not in use for more than 5 minutes. 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 issuance of a construction permit. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dewatering and treatment operations
Mitigation Measure 4.6.13:	The contractor shall be required by contract specifications to ensure that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be	Contractor, as verified by the San Diego Water Board	Ongoing during dewatering and treatment operations

Table 7-1: Mitigation and Monitoring Reporting Program

Mitigation Measures		Responsible Party	Timing for Mitigation Measure
	reviewed by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) prior to issuance of a construction permit. The San Diego Water Board shall verify implementation of this measure.		
Mitigation Measure 4.6.14:	The contractor shall utilize alternative-fueled construction equipment to the maximum extent feasible. All diesel-powered construction equipment shall meet or exceed Tier III standards, or shall be equipped with ARB-verified oxidation catalysts and diesel particulate filter emission controls, using the greatest control efficiency for the specific category of equipment where feasible. The construction contractor shall demonstrate that these verified/certified technologies are available to be used at the time of project dredging and dewatering activities. These specifications shall be included in the proposed project's construction documents, which shall be reviewed by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) prior to the issuance of a construction permit. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dewatering and treatment operations
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. 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 issuance of construction permits. The San Diego Water Board shall verify implementation of this measure.	Contractor, as verified by the San Diego Water Board	Ongoing during dredging and dewatering operations
4.7 Global Climate Change			
There are no additional mitigation measures for this topic			

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

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9.0 LIST OF PREPARERS

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Hannah Arkin	General EIR Preparation
Sharon Toland	Air Quality/GHG
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Tim Huntley	GIS

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Ninyo and Moore – Water Quality Technical Report
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Stephan A. Beck, Manager, Environmental Sciences Division

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Shannon Davis, M.A. Senior Architectural Historian
Michael Pumphrey, M. Arch, M.P.S, Principal Architectural Historian and Historic Architect

DRAFT
ENVIRONMENTAL IMPACT REPORT

SHIPYARD SEDIMENT REMEDIATION PROJECT

SAN DIEGO BAY, CALIFORNIA

State Clearinghouse No. 2009111098

VOLUME II
TECHNICAL APPENDICES

PREPARED FOR:

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD
9174 Sky Park Court, Suite 100
San Diego, CA 92123

PREPARED BY:

LSA Associates, Inc.
703 Palomar Airport Road, Suite 260
Carlsbad, CA 92011

LSA

June 16, 2011

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Volume II

APPENDICES

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APPENDIX A

INITIAL STUDY, NOTICE OF PREPARATION, AND NOTICE OF PREPARATION COMMENTS

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California Regional Water Quality Control Board
San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Linda S. Adams
Secretary for Environmental Protection

Arnold Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
http:// www.waterboards.ca.gov/sandiego

November 25, 2009

To Interested Persons Mailing List

SUBJECT: NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will be the lead agency and will prepare an environmental impact report (EIR) for the following project:

Project Description: The project is a tentative Cleanup and Abatement Order (CAO) for cleanup of contaminated marine sediments at the National Steel and Shipbuilding Company Shipyard (NASSCO)/BAE Systems Shipyard Sediment Site in San Diego Bay. The cleanup remedy may include dredging, capping, and/or natural recovery. Dredge spoils may be dewatered at an onshore facility and disposed of at an appropriate landfill site.

Location: The Shipyard Sediment Site is located along the eastern shore of central San Diego Bay and encompasses an area extending approximately from the Sampson Street Extension to the north and Chollas Creek to the south and from the NASSCO and BAE Systems shipyard facilities shoreline out to the San Diego Bay main shipping channel on the west.

A copy of the Notice of Preparation of the draft EIR is enclosed. The San Diego Water Board needs to know the views of your agency as to the scope of content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by the San Diego Water Board when considering your permit or other approval for the project.

If you have any questions regarding the Notice of Preparation, please contact Mr. Tom Alo of my staff at (858) 636-3154 or TAlo@waterboards.ca.gov. Thank you for your participation.

Respectfully,

DAVID W. GIBSON
Executive Officer

Enclosures:
1. Interested Persons Mailing List
2. Notice of Preparation of Draft Environmental Impact Report and Attachment

INTERSTED PERSONS MAILING LIST

Ms. Sylvia Oey
Division of Planning and Technical Support
Air Resources Board
1001 I St.
Sacramento, CA 95814

Mr. Kevin Hunting
Acting Regional Manager
South Coast Region
Department of Fish and Game
4949 Viewridge Ave.
San Diego, CA 92123

Ms. Susan Young
State Lands Commission
100 Howe Ave., Suite 100
Sacramento, CA 95825

Mr. David Merk
San Diego Unified Port District
3165 Pacific Highway
San Diego, CA 92112-0488

Mr. Scott Morgan
California State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812

Ms. Elizabeth A. Fuchs
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Ms. Denise Klimas
National Oceanic and Atmospheric Administration
Office of Response & Restoration
Coastal Protection & Restoration Division
8800 Cal Center Drive
Sacramento, CA 95826

Mr. Fritz Ortlieb
City of San Diego
1200 Third Avenue, Suite 1620
San Diego, CA 92101

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION

NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT

TENTATIVE CLEANUP AND ABATEMENT ORDER NO. R9-2010-0002 FOR THE SHIPYARD SEDIMENT SITE, SAN DIEGO BAY

NOTICE OF PREPARATION

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will be the lead agency and will prepare an environmental impact report (EIR) for the following project:

Project Description: The project is a tentative Cleanup and Abatement Order (CAO) for cleanup of contaminated marine sediments at the National Steel and Shipbuilding Company Shipyard (NASSCO)/BAE Systems Shipyard Sediment Site in San Diego Bay. The cleanup remedy may include dredging, capping, and/or natural recovery. Dredge spoils may be dewatered at an onshore facility and disposed of at an appropriate landfill site.

Location: The Shipyard Sediment Site is located along the eastern shore of central San Diego Bay and encompasses an area extending approximately from the Sampson Street Extension to the north and Chollas Creek to the south and from the NASSCO and BAE Systems shipyard facilities shoreline out to the San Diego Bay main shipping channel on the west.

Potential Environmental Effects: See attachment.

Copy of Initial Study: Not attached.

The San Diego Water Board needs to know the views of your agency as to the scope of content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response to:

Mr. Tom Alo, Water Resource Control Engineer
Regional Water Quality Control Board
9174 Sky Park Court, Suite 100,
San Diego CA 92123-4340

INFORMATION

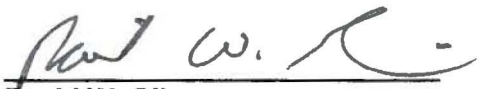
For questions regarding this notice, please contact Mr. Tom Alo, Water Resource Control Engineer by:

U.S. Mail: Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

Email: TAlo@waterboards.ca.gov

Telephone: (858) 636-3154

Please bring the foregoing to the attention of any persons you know who would be interested in this matter. Thank you for your interest in the protection of water quality.



David W. Gibson
Executive Officer
November 25, 2009

ATTACHMENT TO NOTICE

Potential Environmental Effects

I. Biological Resources

1. Dredging is expected to release some sediment in the water column and thus contaminated sediments may be deposited in areas that may not currently be contaminated.
2. In the short term, dredging would result in complete destruction of benthic macroinvertebrate communities and eelgrass.
3. Epibenthic organisms (e.g., fish and lobsters) that feed on benthic macroinvertebrates or that use the eelgrass beds as nurseries may also be affected because the site would not provide the resources they need.
4. The destruction of benthic macroinvertebrate communities and absence of epibenthic fish may cause short-term effects on some aquatic-dependent wildlife that feed at the site.
5. In the long term, eelgrass is currently found primarily in areas with water depths less than 10 feet and may not be able to reestablish itself in some areas with deeper water that would exist after dredging. Lost eelgrass beds would not be available as nursery areas for juvenile fish and other species, and the greater water depths and changed benthic communities may provide fewer feeding opportunities for epibenthic feeders such as diving birds.
6. The use of imported sand as backfill may lower the quality of the bottom substrate at the site, impacting benthic marcoinvertebrate communities.

II. Water Quality

1. Short-term turbidity impacts may occur as a result of resuspended sediments at the point of dredging.

III. Transportation/Traffic

1. In the event dredge spoils are dewatered on shore and disposed of at a landfill, traffic would increase due to trucks transporting and disposing sediments at an offsite landfill.
2. In the event dredge spoils are dewatered on shore and disposed of at a landfill, accidents may occur as a result of the increased traffic.
3. In the event dredge spoils are dewatered on shore and disposed of at a landfill, Increased truck traffic may reduce the service life of road infrastructure by wearing out pavement.

IV. Noise

1. In the event dredge spoils are dewatered on shore and disposed of at a landfill, with the number of trucks passing through the community, there would be an ongoing noise impact over the course of the work.
2. Dredging operations combined with the most intensive ship building and/or maintenance operations could create a cumulative noise impact to the community if they were to occur at the same time.

V. Air Quality

1. Diesel emissions from trucks and dredging equipment may affect air quality.

VI. Geology/Soils

1. Backfill material such as imported sand may shift during a seismic event, which in turn could lead to exposure to underlying contaminated sediment.

VII. Navigation

1. Use of San Diego Bay near the site by recreational and commercial watercraft may be impeded during dredging activities.

INITIAL STUDY/ENVIRONMENTAL CHECKLIST

1. Project title:
   Tentative Cleanup and Abatement Order No. R9-2010-0002 for the Shipyard Sediment Site, San Diego Bay

2. Lead agency name and address:
   California Regional Water Quality Control Board, San Diego Region
   9174 Sky Park Court, Suite 100
   San Diego, CA 92123

3. Contact person and phone number:
   Mr. Tom Alo
   (858) 636-3154

4. Project location:
   The Shipyard Sediment Site is located along the eastern shore of central San Diego Bay and encompasses an area extending approximately from the Sampson Street Extension to the north and Chollas Creek to the south and from the National Steel and Shipbuilding Company (NASSCO) and BAE Systems shipyard facilities shoreline out to the San Diego Bay main shipping channel on the west.

5. Project sponsor's name and address:
   California Regional Water Quality Control Board, San Diego Region
   9174 Sky Park Court, Suite 100
   San Diego, CA 92123

6. General plan designation:
   Industrial

7. Zoning:
   Industrial

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

   The project is a tentative Cleanup and Abatement Order (CAO) for cleanup of contaminated marine sediments at the NASSCO/BAE Systems Shipyard Sediment Site in San Diego Bay. The cleanup remedy may include dredging, capping, and/or natural recovery. Dredge spoils may be dewatered at an onshore facility and disposed of at an appropriate landfill site.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

   Industrial land use surrounds the property. The area is located within the Belt Street Industrial and Harbor Drive Industrial of the Tenth Avenue Marine Terminal Planning District (Port Master Plan). Belt Street Industrial is a heavy industrial district, south of the Tenth Avenue marine Terminal and consists of several well-established and highly important marine-related manufacturing, processing, and servicing establishments. All of the area is developed and leased to marine related industrial businesses except for a small, partly vacated parcel west of Crosby Road. Harbor Drive Industrial consists entirely of one major shipbuilding plan, National Steel and Shipbuilding Company.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).

    U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, California Coastal Commission, California Regional Water Quality Control Board, Air Pollution Control District

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☑ Air Quality
☐ Biological Resources	☐ Cultural Resources	☑ Geology /Soils
☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality	☐ Land Use / Planning
☐ Mineral Resources	☐ Noise	☐ Population / Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☐ Utilities / Service Systems	☐ Mandatory Findings of Significance	

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☑ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature ASSIST. EXECUTIVE OFFICER

12/22/09
Date

for David W. Gibson
Name

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such

effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and

b) The mitigation measure identified, if any, to reduce the impact to less than significance.

Issues:

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☑
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☑
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☑

DISCUSSION

a) **No Impact.** The project is located in a heavy marine industrial area known in the Port Master Plan as the Belt Street Industrial & Harbor Drive Industrial of the Tenth Avenue Marine Terminal Planning District. Ship repair and construction activity occurs within the project area for the Navy and commercial customers. The dredging and disposal equipment will likely appear similar and blend with the equipment associated with these activities. Furthermore, the Port Master Plan does not identify scenic vistas that transverse the project. This issue will not be addressed in the Environmental Impact Statement/Environmental Impact Report (EIS/EIR).

b) **No Impact.** The Port Master Plan does not identify scenic highways that transverse the project. No scenic resources, trees or rock outcroppings would be damaged as a result of dredging in the project area. This issue will not be addressed in the EIS/EIR.

c) **No Impact.** The project would not involve the construction or reconstruction of any structures that could potentially alter the visual character of the area surrounding the project. The dredging equipment and covered dredged materials stored on-site

would temporarily alter but not degrade the visual character of the surrounding area. This issue will not be addressed in the EIS/EIR.

d) **No Impact.** Dredging would be conducted during daytime hours and no new structures or lighting facilities would be constructed as part of the project implementation. This issue will not be addressed in the EIS/EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☑
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☑

DISCUSSION

a) **No Impact.** The California Department of Conservation Farmland Mapping and Monitoring Program identify categories of agricultural resources that are significant and therefore require special consideration. The proposed project is not located in an area designated as Prime or Unique Farmland, or Farmland of Statewide Importance (California Department of Conservation, 1999). No farmland or row crops currently exist in the vicinity of the proposed project and therefore, none would be converted to accommodate the proposed project. No impacts would occur. This issue will not be addressed in the EIS/EIR.

b) **No Impact.** The project area is not zoned for agricultural use but for heavy industrial use. No agricultural resources or operations exist within the project limits or adjacent areas, and no Williamson Act contracts apply to the area. Therefore, this issue will not be addressed in the EIS/EIR.

c) **No Impact.** The proposed project would not disrupt or damage the operation or productivity of any areas designated as Farmland. As discussed above, no farmland is located within the project area that could be affected by the project. This issue will not be addressed in the EIS/EIR.

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☑	☐	☐	☐
b) Violate any air quality standard or contribute substantially to an existing	☑	☐	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
or projected air quality violation?				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☑	☐	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☑	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☑	☐	☐

DISCUSSION

a) **Potentially Significant Impact.** Dredging, dewatering, and truck trips would all create emissions that would contribute to the existing air quality conditions in the area. Emissions associated with dredging activities come from emissions as opposed to dust; the dewatering phase has a low potential for particulate matter (PM) dust emissions and wind erosion due to self contained equipment being used and to the wet (submerged) nature of the soils that would be disturbed. Truck trips hauling dewatered soils to the landfills are also potential sources for temporary PM and diesel emissions.

The principal source of emissions, however, would be from the dredge's diesel engine used for dredge propulsion, driving dredging pumps, and driving electric generators. These would be large diesel engines, and short-term NO_x emission rates would very likely exceed the Air Pollution Control District (APCD) thresholds for daily emissions, for new and modified sources. This would require the applicant (i.e., dredge contractor) to obtain an Authority to Construct and Permit to Operate.

As part of the permitting procedure, an Air Quality Impact analysis would be performed, if necessary, to provide data relative to anticipated NO_x emissions rates, and to demonstrate that the state and federal air quality standards would not be violated, and there would be no significant impact. Alternatively, an individual dredging vessel may be registered with the California Air Resources Board (ARB) and not require a specific air quality permit for this project.

This issue will be addressed in the EIS/EIR.

b) **Potentially Significant Impact.** See response to item (a) above.

c) **Potentially Significant Impact.** See response to item (a) above.

d) **Less than Significant with Mitigation Measures Incorporated.** Certain population groups are considered particularly sensitive to air pollution. Sensitive receptors consist of land uses that are more likely to be used by these population groups. Sensitive receptors include health care facilities, retirement homes, school and playground facilities, and residential areas. Trucks hauling dewatered soils could subject sensitive receptors within the Barrio Logan community to significant diesel emissions during transport to the landfills. Mitigation could include using alternative fuel vehicles and/or routing trucks away from sensitive receptors. This issue will be addressed in the EIS/EIR.

e) **Less than Significant with Mitigation Measures Incorporated.** See response to item (d) above.

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or	☐	☑	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☑	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☑
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☑	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☑
f) Conflict with the provisions of an adopted Habitat Conservation Plan,	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				

DISCUSSION

a) **Less Than Significant with Mitigation Incorporation.** Marine Vegetation – Patches and beds of eelgrass are present within the project area. Eelgrass beds are considered to be very valuable nursery sites for many species of invertebrates and fish species. Eelgrass bed habitat has been identified as a sensitive marine resource by the California Department of Fish and Game, the National Marine Fisheries Service, and the U.S. Fish and Wildlife Service. Eelgrass beds serve as refuges, foraging areas, and nursery habitats for various coastal and bay invertebrates, fishes, and birds. The loss of eelgrass habitat as a result of dredging in the project area will be addressed through the National Marine Fisheries' Southern California Eelgrass Mitigation Policy (SCEMP). This policy requires a minimum in kind replacement at a ratio of 1:2:1 and a five year monitoring requirement to determine success. Implementation of this policy would reduce the impact caused by the project to a less than significant level.

Invertebrates – Dredging activities inherently cause a disturbance and redistribution of bottom sediments which may persist for the duration of the operation. Some invertebrates, especially small crustaceans and mollusks of the infauna, may be relocated with the dredged material and deposited on the discharge site. Some would be smothered, some would become food for opportunistic shorebirds, and others would survive at the new location. Invertebrates, epifauna, and infauna may be exposed to suspended sediment concentrations during dredging and up to 24 hours later. Dredging operations may cause some clogging to gills and suspension feeding apparatuses, resulting in smothering to invertebrates in the immediate vicinity. Invertebrates are expected to recover from the disturbance upon completion of the project. The impacts to invertebrates are minimal, temporary, and not significant.

Fish and Essential Fish Habitat – The dredging process could result in direct loss of foraging habitat, but perhaps even more significant is the turbidity associated with

this activity. Some fish may avoid the immediate project area during dredging operations because of the increased turbidity, noise levels, and oxygen depletion caused by dredging bottom sediment. The dredging operation will be monitored to ensure that any substantial increases in turbidity or decreases in dissolved oxygen are restricted to the immediate area around the dredge. The potential for significant impacts exist due to the presence of fine sediments and organisms in the potential dredging areas. Fine sediments remain suspended in the water column. On the beneficial side, dredging could increase water circulation and indirectly benefit fish resources. Also, dredging activities sometimes suspend infauna and epifauna to temporarily enhance fish feeding activities. Impacts to fish and essential habitat is minimum and short term, and it would not result in a significant, adverse impact.

Birds – Dredging activities may temporarily degrade water quality and increase ambient noise levels, which could cause disturbances to some birds. Increased levels of activities within the project area may decrease waterfowl use of the water for resting and the use of the any nearby structures for roosting; however given the current industrial activities within the project area (e.g., ship repair and construction), the addition of the dredge would not significantly increase activity levels. Furthermore, these affects are not significant because dredging operations would occur over a short duration and be localized. Birds and marine mammals are expected to rapidly acclimate to the dredge's monotonous, non-threatening noise.

Marine Mammals – San Diego Bay does not constitute essential feeding or breeding habitat for any marine mammal species that may be present in the project area. Sea lions would probably keep clear of the dredging activities; therefore, there would be no significant impacts to these mammals. Similarly, the proposed dredging operation is not expected to adversely affect any other marine mammals. Any short-term disruptions to pre-dredge foraging or movement behaviors would be temporary and not significant, as wildlife activities would return to normal upon project completion.

b) **Less Than Significant with Mitigation Incorporation.** See response to item (a) above - Marine Vegetation.

c) **No Impact.** No known federally protected wetlands exist in or near the project site. No impacts would occur, and no further study this issue is required.

d) **Less Than Significant Impact.** Dredging of the project area would temporarily disturb subtidal habitat (eelgrass bed). This aquatic habitat within the project area is not located in any important fish or wildlife movement corridor or located in any identified native wildlife nursery site, though the eelgrass beds are likely to provide this resource. Mobile marine organisms such as fish are anticipated to avoid the

immediate vicinity of the dredging activities; however, fish are expected to return to the project area in the absence of dredging activities, especially at night, and subsequent to project completion.

e) **No Impact.** The proposed project would not conflict with any local policies or ordinances protecting biological resources. No policies specifically apply to eelgrass or eelgrass habitat. Mitigation and habitat protection as part of the project and mitigation strategy will be consistent with the SCEMP. This issue will not be addressed in the EIS/EIR.

f) **No Impact.** The proposed project is not within the area of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No plans specifically apply to eelgrass or eelgrass habitat. Mitigation and habitat protection as part of the project and mitigation strategy will be consistent with the SCEMP. This issue will not be addressed in the EIS/EIR.

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	☐	☐	☐	☑
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	☐	☐	☐	☑
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☑

DISCUSSION

a) **No Impact.** The project site is currently, and has been for many years, utilized as shipyards providing shipyard construction and repair services to both commercial customers and the Navy. The project does not entail grading undisturbed areas on the site, and the area proposed for dredging consists of recently deposited material and undisturbed subtidal material below the depth that would include cultural resources. Therefore, the proposed project would have no impact on historical or archaeological resources pursuant to '15064.5. No paleontological resources or unique geologic features would be impacted.

As part of the project, standard BMPs will be employed to ensure no impacts occur. In the event that an archaeological or paleontological resource is found during implementation of this project, the contractor will immediately cease all construction at the place of discovery and a qualified archaeologist and/or paleontologist will evaluate the find. If the archaeologist or paleontologist determines that potentially significant archaeological or paleontological materials or human remains are encountered, the archaeologist or paleontologist will recover, retrieve, and/or remove any archaeological or paleontological materials. The archaeologist will provide a copy of documentation of all recovered data and materials found on site to the regional information center of the California Archaeological Inventory for inclusion in the permanent archives and another copy shall accompany any recorded archaeological materials data.

No potential indirect, operational, or cumulative impact to cultural resources have been identified. This issue will not be addressed in the EIS/EIR.

b) **No Impact.** See response to item (a) above.

c) **No Impact.** See response to item (a) above.

d) **No Impact.** See response to item (a) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☑
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☑
ii) Strong seismic ground shaking?	☑	☐	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☑
iv) Landslides?	☐	☐	☐	☑
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☑
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading,	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
subsidence, liquefaction or collapse?				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☑
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☑

DISCUSSION

a.i) **No Impact.** Seismic- and soil-related issues from project implementation would not be a significant consideration since the project consists of dredging contaminated sediments within the water area of the project site and no structures would be constructed for human occupancy. This issue will not be addressed in the EIS/EIR.

a.ii) **Potentially Significant Impact.** Backfill material such as imported sand may shift during a seismic event, which in turn could lead to exposure to underlying contaminated sediment.

a.iii) **No Impact.** See response to item (a.i) above.

a.iv) **No Impact.** See response to item (a.i) above.

b) **No Impact.** See response to item (a.i) above.

c) **No Impact.** See response to item (a.i) above.

d) **No Impact.** See response to item (a.i) above.

e) **No Impact.** See response to item (a.i) above.

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☑	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☑	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☑
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☑
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
use airport, would the project result in a safety hazard for people residing or working in the project area?				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☑
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☑

DISCUSSION

a) **Less Than Significant with Mitigation Incorporation.** The proposed project could result in a significant release of hazardous material into the environment. During dredging and disposal of contaminated sediment, operational BMPs will be employed to prevent the release of contaminants into the marine environment. Silt curtains will be deployed around the in-water work site, which will contain temporary construction-related turbidity. The contractor will be responsible for removing any debris in the water at the end of each work day. This issue will not be addressed in the EIS/EIR.

b) **Less Than Significant with Mitigation Incorporation.** Accidental spills of oil, grease, or other petroleum products could occur during dredging. The contractor will implement a Spill Prevention, Containment, and Control (SPCC) Plan to avoid

accidental spills and to have the appropriate materials on site in order to respond to any gas, oil, or other leak or spill. All equipment (on land and over water) will be kept in proper operating condition, and any leak will be immediately repaired. This issue will not be addressed in the EIS/EIR.

c) **No Impact.** The project is not located within one-quarter mile of an existing or proposed school, on a site listed on the list of hazardous materials sites compiled pursuant to Government Code section 65962.5, or within an airport land use plan. This issue will not be addressed in the EIS/EIR.

d) **No Impact.** See response to item (c) above.

e) **No Impact.** See response to item (c) above.

f) **No Impact.** See response to item (c) above.

g) **No Impact.** The project will comply with all applicable fire codes and emergency evacuation plans set forth by the City of San Diego Fire Department. Existing emergency access to the project site will remain in place. Emergency plans will be made by the contractor to ensure prompt, safe, and orderly evacuation at any time during dredging and disposal activities, if necessary. This issue will not be addressed in the EIS/EIR.

h) **No Impact.** The project is located in an industrial environment removed from wildlands. Therefore, no fire hazard related to wildlands is identified. This issue will not be addressed in the EIS/EIR.

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
VIII. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☑	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☑
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☑
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☑
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Otherwise substantially degrade water quality?	☐	☐	☑	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☑
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☑
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☑
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☑

DISCUSSION

a) **Less Than Significant with Mitigation Incorporation.** The project could violate water quality standards or waste discharge requirements (WDR) during dredging and disposal activities as a result of accidental release of contaminants from construction equipment. Discharges into San Diego Bay would be managed in accordance with applicable state regulations, including WDRs and water quality monitoring during dredging and disposal. This issue will not be addressed in the EIS/EIR.

b) **No Impact.** Groundwater at the project site has significant saltwater intrusion and is therefore unsuitable for use as drinking water. The area does not support surface recharge of groundwater and the project will have no affect on existing groundwater conditions. This issue will not be addressed in the EIS/EIR.

c) **No Impact.** The proposed project involves dredging contaminated sediments within the water area of the project site. This activity would not affect surface runoff levels or direction, nor would it increase the potential for flooding or erosion. This issue will not be addressed in the EIS/EIR.

d) **No Impact.** See response to item (c) above.

e) **No Impact.** See response to item (c) above.

f) **Less than Significant Impact.** See response to item (a) above.

g) **No Impact.** The project is located within San Diego Bay and is subject to tidal variations that could potentially create risks to people and property. The proposed project involves dredging contaminated sediment within the water area of the project site, which would not increase exposure of people, housing, or other property to risks associated with flooding. This issue will not be addressed in the EIS/EIR.

h) **No Impact.** See response to (g) above.

i) **No Impact.** See response to (g) above.

j) **No Impact.** The project is located within San Diego Bay and is within a designated tsunami hazard area. In addition, it could be vulnerable to a seiche (inland tsunami). However, the proposed dredging project would not increase the severity of such risks as it would not add people or activities to the existing facility. This issue will not be addressed in the EIS/EIR.

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☑
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☑

DISCUSSION

a) **No Impact.** The proposed project will not physically divide an established community, conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, or conflict with any applicable habitat conservation plan or natural community conservation plan.

b) **No Impact.** See response to item (a) above.

c) **No Impact.** See response to item (a) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a known mineral resource that would be of value to the region and the residents of the state?				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☑

DISCUSSION

a) **No Impact.** The proposed project will not result in the loss of availability of known mineral resources.

b) **No Impact.** See response to item (a) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☑	☐
b) Exposure of persons to or generation of excessive groundborne	☐	☐	☑	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
vibration or groundborne noise levels?				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☑
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑

DISCUSSION

a) **Less than Significant Impact.** The project is located in a heavy marine industrial area. Noise generated from the dredging would come from the use of large generators, engine noise from tug, cable winches, and clamshell bucket. Short-term dredging noise levels will likely blend with the noise from existing marine operations. Dredging and disposal activities could generate temporary, periodic increases in noise levels in the project vicinities. This issue will not be addressed in the EIS/EIR.

b) **Less than Significant Impact.** Activities that result in the generation of groundborne vibrations are typically associated with construction activities such as blasting, grading or pile driving. The proposed project does not include these activities. Dredging activities typically do not result in high levels of groundborne vibration. Dewatering procedures would similarly not result in the generation of groundborne vibrations that would affect nearby land uses. This issue will not be addressed in the EIS/EIR.

c) **No Impact.** The proposed dredging and dewatering of dredged materials would be temporary and would not be a permanent noise source. After the project is completed, the noise levels would be similar to existing conditions. This issue will not be addressed in the EIS/EIR.

d) **Less than Significant Impact.** See the response to item (a) above.

e) **No Impact.** The proposed project is not located within an airport use plan or located within two miles of a public airport.

f) **No Impact.** See the response to item (e) above.

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
XII. POPULATION AND HOUSING – Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☑
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

DISCUSSION

a) **No Impact.** The project would not directly or indirectly induce population growth in the project vicinity. The project would not create any new housing units or employment generating land uses. The water area of the project site is intended for ship building and construction for the Navy and commercial customers and would therefore have no population growth impacts. This issue will not be addressed in the EIS/EIR.

b) **No Impact.** There are no housing units on the project site or people residing on the project site in any form of temporary housing. The project would therefore not displace any existing housing units or people from the project site. This issue will not be addressed in the EIS/EIR.

c) **No Impact.** See response to item (b) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	☑
Police protection?	☐	☐	☐	☑
Schools?	☐	☐	☐	☑
Parks?	☐	☐	☐	☑
Other public facilities?	☐	☐	☐	☑

DISCUSSION

a) **No Impact.** The project does not include any new buildings or structures, as the work scope involves only for dredging and eelgrass replacement activities. Therefore, this project would not significantly impact existing fire service ratios and response times. It would also not increase the demand for additional fire protection services. This issue will not be addressed in the EIS/EIR.

b) **No Impact.** See response to item (a) above. The project would not significantly impact existing police service ratios and response times, and would not increase the demand for additional police protection services. This issue will not be addressed in the EIS/EIR.

c) **No Impact.** The project does not involve any housing units or employments generating land uses and therefore would not create the demand for any new school facilities. This issue will not be addressed in the EIS/EIR.

d) **No Impact.** See response to item (c) above.

e) **No Impact.** No other impacts have been identified that would require the provision of new or physically altered government facilities. Due to the nature and scope of the proposed dredging, project implementation would not increase the demand for any other public facilities (e.g., libraries) or create the need for alteration or construction of any government buildings. This issue will not be addressed in the EIS/EIR.

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
XIV. RECREATION –				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☑
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☑

DISCUSSION

a) **No Impact.** The project does not involve new housing units or construction of new parks or any other type of recreational facilities. The project would not create any new demands for parks or recreational facilities. This issue will not be addressed in the EIS/EIR.

b) **No Impact.** See the response to item (a) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC – Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☑	☐	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☑	☐	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☑
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
e) Result in inadequate emergency access?	☐	☐	☐	☑
f) Result in inadequate parking capacity?	☐	☑	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☑

DISCUSSION

a) **Less Than Significant Impact with Mitigation Incorporation.** The project involves dredging contaminated sediments within the water area of the project site. The dredging activities would include truck and construction vehicle trips. A few construction vehicle trips would be required for movement of dredging equipment. Most project vehicle trips would involve the transport of dredged materials to landfills. All dredging-related traffic impacts would cease at the end of the project dredging and eelgrass transplantation phases. The contractor will be required to prepare a traffic plan that ensures adequate access to all residences and businesses in the project area during all aspects of construction. This issue will be addressed in the EIS/EIR.

b) **Less Than Significant Impact with Mitigation Incorporation.** See the response to item (a) above.

c) **No Impact.** Dredging operations would not impact airport operations, alter traffic patterns or in any way conflict with established Federal Aviation Administration (FAA) flight protection zones. This issue will not be addressed in the EIS/EIR.

d) **No Impact.** The project would not alter the design features of any streets or alleys and would not introduce or encourage any incompatible land uses in the project vicinity. This issue will not be addressed in the EIS/EIR.

e) **No Impact.** The project would not alter any land uses, transportation patterns, or emergency access routes. This issue will not be addressed in the EIS/EIR.

f) **Less Than Significant Impact with Mitigation Incorporation.** Additional parking would be required for the workers conducting the dredging and disposal operations.

As a result, the employee parking lot may be impacted. This issue will be addressed in the EIS/EIR.

g) **No Impact.** The project would not set forth or encourage any proposals or projects that would conflict with any adopted alternative transportation policies. This issue will not be addressed in the EIS/EIR.

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
XVI. UTILITIES AND SERVICE SYSTEMS Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☑
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☑
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☑
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project=s projected demand in addition to the provider=s existing commitments?	☐	☐	☐	☑
f) Be served by a landfill with sufficient permitted capacity to accommodate the project=s solid waste disposal needs?	☐	☐	☐	☑
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☑

DISCUSSION

a) **No Impact.** For Sections XVI. (a) through (g) – The project would not create any housing units or growth inducing commercial, industrial or institutional land uses and therefore the project would not create any substantial demands or place an undue burden on any utility or service system. This issue will not be addressed in the EIS/EIR.

b) **No Impact.** See the response to item (a) above.

c) **No Impact.** See the response to item (a) above.

d) **No Impact.** See the response to item (a) above.

e) **No Impact.** See the response to item (a) above.

f) **No Impact.** See the response to item (a) above.

g) **No Impact.** See the response to item (a) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☑	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☑	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☑	☐	☐

DISCUSSION

a) **Less Than Significant Impact with Mitigation Incorporation.** The dredging of the proposed area will result in a temporary loss of the eelgrass. This eelgrass resource provides important functions to the ecosystem and is regulated by state and federal agencies. Impacts to eelgrass will therefore need to be mitigated in accordance with the Southern Eelgrass Mitigation Policy. Monitoring the success of eelgrass mitigation shall be required for a period of five years in accordance with the SEMP. An eelgrass mitigation plan shall be prepared to discuss the methods and schedule for planting eelgrass, and post-planting monitoring. The mitigation plan will include the following information, as relevant to the eelgrass mitigation sites: baseline conditions, transplant methods, transplant timing, success criteria, and a five year monitoring program. Eelgrass beds provide nursery habitat for some species of invertebrates and fish. The existing eelgrass will be supplemented by the creation of additional eelgrass habitat and transplanting. Any loss of eelgrass within the project site will be offset through the implementation of a mitigation measure in accordance with the SEMP. Therefore, impacts to potential aquatic nursery sites are less than significant with mitigation incorporation. This issue will be addressed in the EIS/EIR.

b) **Less than Significant Impact.** This project is one of several contaminated sediment dredging projects expected to take place in San Diego Bay over the next 10 years. Other sites include the Naval Training Center Boat Channel, the East Harbor Basin, and other potential sites along the commercial/industrial water front of San Diego Bay. Impacts to eel grass beds are not expected to be cumulatively considerable because the SCEMP requires a replacement at a ratio of 1:2:1 and a five year monitoring requirement to determine success. Any dredging project that will impact eel grass beds must comply with this federal plan.

   Cumulative air quality impacts from the operation of dredges and trucks should be addressed in the Air Quality Impact analyses required in order to obtain an Authority to Construct and Permit to Operate. As long as each dredging project does not violate a state or federal air quality standard, the cumulative impacts to air quality should be less than significant.

   The various dredging projects are located far enough apart that, in the event that dredging and hauling activities coincide, the noise and vibration effects of each individual project will not be additive.

c) **Less Than Significant Impact with Mitigation Incorporation.** Potential project impacts related to aesthetics, air quality, hazardous materials, noise and other environmental issues will be analyzed in the EIR/EIS.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION

NOTICE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT SCOPING MEETING

TENTATIVE CLEANUP AND ABATEMENT ORDER NO. R9-2010-0002 FOR THE SHIPYARD SEDIMENT SITE, SAN DIEGO BAY

January 21, 2010 9:00 a.m.
Regional Board Office Hearing Room
9174 Sky Park Court, Suite 100
San Diego California 92123-4340

SCOPING MEETING

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will hold a California Environmental Quality Act (CEQA) scoping meeting to receive comments on the scope of issues to be addressed in the environmental documents prepared for the project described below.

Project Description: The project is a tentative Cleanup and Abatement Order (CAO) for cleanup of contaminated marine sediments at the National Steel and Shipbuilding Company Shipyard (NASSCO)/BAE Systems Shipyard Sediment Site in San Diego Bay. The cleanup remedy may include dredging, capping, and/or natural recovery. Dredge spoils may be dewatered at an onshore facility and disposed of at an appropriate landfill site.

Location: The Shipyard Sediment Site is located along the eastern shore of central San Diego Bay and encompasses an area extending approximately from the Sampson Street Extension to the north and Chollas Creek to the south and from the NASSCO and BAE Systems shipyard facilities shoreline out to the San Diego Bay main shipping channel on the west.

Written responses to comments will be posted on the San Diego Water Board website prior to preparation of environmental documents for the project. Section 21083.9 of the California Public Resources Code requires lead agencies to call at least one scoping meeting for projects of regional and area-wide significance.

Scoping is helpful in identifying a range of actions, alternatives, mitigation measures, and significant environmental effects to be analyzed prior to the decision making process. Scoping has been found to be an effective way to bring together and resolve the concerns of affected federal, State, and local agencies, the proponent of the actions, and other interested persons including those who might not be in accord with the proposed actions on environmental grounds.

Date: Thursday, January 21, 2010

Time: 9:00 am

Location: Regional Board Office Hearing Room
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

INFORMATION

Parking is available at the scoping meeting location. A map with directions to the scoping meeting may be obtained from the Regional Board's website or by contacting Ms. Lori Costa at the phone number below.

The scoping meeting room facilities are accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Ms. Lori Costa at (858) 467-2357 at least 5 working days prior to January 21, 2010. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

For questions regarding this notice, please contact Mr. Tom Alo, Water Resource Control Engineer by:

U.S. Mail: Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

Email: TAlo@waterboards.ca.gov

Telephone: (858) 636-3154

Please bring the foregoing to the attention of any persons you know who would be interested in this matter. Thank you for your interest in the protection of water quality.

David W. Gibson
Executive Officer
November 24, 2009