
San Francisco Bay Regional Water Quality Control Board

Date: February 3, 2022

NOTICE OF OPPORTUNITY TO COMMENT ON AND PUBLIC HEARING FOR THE TENTATIVE ORDER ISSUING WASTE DISCHARGE REQUIREMENTS AND WATER QUALITY CERTIFICATION FOR LIND TUG AND BARGE, INC.

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, San Francisco Bay Region, (Water Board) staff has prepared a Tentative Order to update waste discharge requirements (WDRs) under California Water Code section 13263 and to provide a water quality certification under section 401 of the federal Clean Water Act to Lind Tug and Barge, Inc., (Permittee or Lind) for its oyster shell mining operation in San Francisco Bay.

The Tentative Order is available for review and comment at:

https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/tentative_orders.html.

NOTICE IS ADDITIONALLY HEREBY GIVEN that the Water Board will hold a public hearing to consider adoption of the proposed Tentative Order as follows:

DATE:	April 13, 2022
TIME:	9:00 a.m. (approximate)
LOCATION:*	Elihu M. Harris Building Auditorium 1515 Clay Street Oakland, CA 94612

***The location and format of the meeting are subject to change due to the COVID-19 emergency. Interested persons will be notified of any changes. If you are not on the interested persons list, please contact the staff contact below to be included in any updates. Additional information about participating in the public hearing will also be available on the following Board webpage by April 3:**

https://www.waterboards.ca.gov/sanfranciscobay/board_info/agenda.html

BACKGROUND

Lind commercially mines historic oyster shell deposits in San Francisco Bay, just north of the San Mateo–Hayward Bridge. The type of mining methods and the location for the oyster mining operations have remained relatively similar for decades. Lind uses a hydraulic suction dredge (shell dredge) to mine the oyster shell deposits, wash the shells, and then place the shells in a barge. Once processed, the shells are used as a mineral and nutrient supplement in poultry diets and as a soil amendment.

The Tentative Order includes discharge requirements and allows the Permittee to mine no more than 80,000 cubic yards of relic oyster shells each year from San Francisco Bay. It includes avoidance, minimization, and compensatory mitigation measures that will minimize impacts to water quality and beneficial uses. It also requires receiving water quality monitoring and a study to evaluate potential mining impacts on shoreline features.

SUBMISSION OF WRITTEN COMMENTS

The Water Board will receive written comments on the Tentative Order. To be considered, written comments must be received **no later than 5:00 p.m. on March 7, 2022**. Written comments must be submitted to: Selina.Louie@waterboards.ca.gov or Selina Louie, 1515 Clay St., Ste. 1400, Oakland, CA 94612. Please submit all email attachments as one electronic file with a file name clearly identifying the commenting entity. Electronic submission is preferred.

Pursuant to California Code of Regulations Title 23 section 2050(c), any party who challenges the Board's action through a petition to the State Water Resources Control Board under Water Code section 13320 will be limited to raising only those substantive issues that were raised before the Board at the hearing or in timely submitted comments.

If you require special accommodations at the physical meeting location, please contact Victor Aelion, (510) 622-2093, Victor.Aelion@waterboards.ca.gov, at least five (5) working days before a meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

CONTACT INFORMATION

For more information about this matter, please Selina Louie at Selina.Louie@waterboards.ca.gov or (510) 622-2383.