

California Regional Water Quality Control Board
San Diego Region
David Gibson, Executive Officer



Supplemental Executive Officer's Report
October 12, 2016

California Environmental Quality Act Scoping Meeting for the Sediment Cleanup Project at the Former Naval Training Center Boat Channel

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The San Diego Water Board held a California Environmental Quality Act (CEQA) Scoping Meeting regarding the sediment cleanup project for the former Naval Training Center Boat Channel on the evening of October 6, 2016. The meeting was held in conjunction with the United States Navy's meeting on its Proposed Plan. This plan describes various cleanup alternatives for the site to restore the health of the benthic community, and selects a preferred alternative, in this case, dredging with disposal of contaminated sediment at a landfill. The Navy's next step in the process is to refine the preferred alternative through a public process and prepare a draft Record of Decision. The Record of Decision, to be signed by both the Navy and San Diego Water Board, is a binding agreement setting forth the final remedy to be implemented at the site.

The San Diego Water Board's discretionary approval of the draft Record of Decision constitutes a project under CEQA. As the Lead Agency for this project, the San Diego Water Board is responsible for evaluating the potential environmental effects of the dredging project, disclosing those effects through an environmental document, engaging the public and responsible agencies, and exercising its discretion to approve or reject the Record of Decision. The purpose of the CEQA scoping meeting was to inform the public that the San Diego Water Board is evaluating the dredging project under CEQA and to solicit public comment regarding the potential environmental impacts related to the sediment cleanup project.



During the joint meeting, the Navy described the cleanup alternative it had selected for the site. Kelly Dorsey, the San Diego Water Board's Department of Defense Program Manager, provided an overview of the CEQA process and held an open forum to receive comments. Although several members of the public were present, no comments were forthcoming. The public will have another opportunity to provide comments when the draft CEQA document is released for a formal public comment period. The San Diego Water Board did not take formal action at the CEQA Scoping Meeting.

To assist the public in understanding the CEQA process, a Frequently Asked Questions document (Attachment) was provided to meeting participants. Additionally, the meeting was publically noticed on the San Diego Water Board website, Facebook page, Twitter page, and in the San Diego Union Tribune.

The former Naval Training Center (NTC) is located approximately 2.5 miles northwest of downtown San Diego and occupies approximately 540 acres near the northernmost point of San Diego Bay. Thirty-three storm drains discharge into the Boat Channel from the former NTC, Marine Corp Recruit Depot, San Diego International Airport, and properties within the San Diego Unified Port District and the City of San Diego. Due to possible impacts from these storm drain outfall discharges, sediments within certain areas of the Boat Channel were identified for cleanup.

Evaluations of the human health, wildlife ecological and benthic invertebrate risks showed that the sediment poses an acceptable risk to human health, birds, and mammals. However, a benthic invertebrate risk analysis identified 8 areas of concern within the Boat Channel that the Navy proposed to cleanup. The San Diego Water Board identified copper, lead, zinc, DDT, and total chlordane as the primary chemicals of concern for the site.



Attachment

Former Naval Training Center Boat Channel Sediment Cleanup

CEQA/Scoping Meeting

Frequently Asked Questions (FAQs)

Q: What is CEQA?

A: The California Environmental Quality Act (CEQA) is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.

Q: When and why was CEQA enacted?

A: The impetus for CEQA can be traced to the passage of the first federal environmental protection statute in 1969, the National Environmental Policy Act (NEPA). In response to this federal law, the California State Assembly created the Assembly Select Committee on Environmental Quality to study the possibility of supplementing NEPA through state law. This legislative committee, in 1970, issued a report entitled *The Environmental Bill of Rights*, which called for a California counterpart to NEPA. Later that same year, acting on the recommendations of the select committee, the legislature passed, and Governor Reagan signed, the CEQA statute.

Q: Who must comply with CEQA?

A: CEQA applies to certain activities of state and local public agencies. A public agency must comply with CEQA when it undertakes an activity defined by CEQA as a "project."

A project is an activity when a public agency must provide discretionary approval for the project (e.g. approval of a Record of Decision or a permit). Discretionary approval means the agency has the authority to approve or deny the project or permit. A project is an activity for a project proponent when they must receive approval or permitting from a government agency which may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

Most proposals for physical development in California are subject to the provisions of CEQA, as are many governmental decisions which do not immediately result in physical development (such as adoption of a general or community plan). Every project which requires a discretionary governmental approval will require at least some environmental review pursuant to CEQA, unless an exemption applies. In this case, approval of the Record of Decision (ROD) is the discretionary action that will be taken by the San Diego Water Board.

Q: If it applies, what are the basic requirements of environmental review under CEQA?

A: The environmental review required imposes both procedural and substantive requirements. At a minimum, an initial review of the project and its environmental effects must be conducted. Depending on the potential effects, a further, and more substantial, review may be conducted in the form of an environmental impact report (EIR). A project may not be approved as submitted if feasible alternatives or mitigation measures are able to substantially lessen the significant environmental effects of the project.

Q: What are the CEQA Guidelines?

A: The Guidelines are the regulations that explain and interpret the law for both the public agencies required to administer CEQA and for the public generally. They are found in the California Code of Regulations, in chapter 3 of title 14. The Guidelines provide objectives, criteria and procedures for public agencies to evaluate projects in an orderly fashion and prepare environmental documents of which there are three types; environmental impact reports, negative declarations, and mitigated negative declarations. The fundamental purpose of the Guidelines is to make the CEQA process comprehensible to those who administer it, to those subject to it, and to those for whose benefit it exists. To that end, the Guidelines are more than mere regulations which implement CEQA as they incorporate and interpret both the statutory mandates of CEQA and the principles advanced by judicial decisions.

Q: What is the “proposed project”?

A: The proposed project is the approval of the Record of Decision by the San Diego Water Board. The ROD will describe the selected remedy for the sediment remediation project at the Former Navy Training Center Boat Channel.

Q: What is the purpose of a scoping meeting?

A: The purpose of a public scoping meeting is to inform the public that the lead agency, the San Diego Water Board, is evaluating a project under CEQA and to solicit public comment regarding the type and extent of environmental analyses to be undertaken. The lead agency describes the preliminary concept of the project and asks for feedback.

Q: What can you expect at a Scoping Meeting?

A: The public scoping meeting will consist of a formal presentation providing an overview of the proposed project and of the CEQA process. Following the presentation, attendees will have an opportunity to provide oral comment.

Q: Do you have to attend a Scoping Meeting to submit your comments?

A: At this time, the San Diego Water Board is accepting scoping comments orally at the Scoping Meeting. Upon completion of a Draft CEQA Document, a public comment period will be established and written comments will be accepted at that time. All comments received from the public, agencies, and organizations must be considered by the San Diego Water Board.

Q: What are the next steps after the public scoping meetings?

A: Upon completion of the scoping process, all public comments will be organized and will be considered in the preparation of the Draft CEQA Document. The Draft CEQA Document will evaluate potential environmental impacts associated with implementation of sediment remediation methods at the site and will be used to inform decisions on the remediation activities.