

**APPENDIX B**

**PUBLIC COMMENTS**



Making San Francisco Bay Better

May 19, 2014

San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 400  
Oakland, California 94512

SUBJECT: Rescission of Site Clean up Requirements Order No. R2-002-0091 for U. S. Army Corps of Engineers and Cal-Steel Coating, Shoreline Parcel adjacent to 2241 Clement Avenue, Oakland and Alameda Harbor Channel, Alameda, Alameda County (BCDC Cease and Desist and Civil Penalty Order File No. CCD1996.001)

Dear Members of the Board:

I am writing to express BCDC's support for rescinding the above-referenced order following the fill removal and capping effort jointly undertaken by CalRecycle and the U.S. EPA, among other parties.

As events coalesced last year to enable the implementation of the Estuary Clean-Up, additional funds were needed to include the removal of contaminated surface debris and waste along the shoreline bank, sandblast and slag waste and a concrete collapsed wharf as part of this project. Your order provided the necessary leverage to incentivize Francis Collins, the adjacent property owner, to contribute funding to make the removal of this contaminated material possible.

Mark Johnson was tremendously influential in facilitating compliance with the requirements of the above-referenced order. He was a critical thinker and effective negotiator, without whose skills, fast action and hard work this material may have otherwise remained in place. This has been a concern of BCDC's since the 1990's that we were unsuccessful in addressing in spite of having issued our own cease and desist order to Francis Collins.

Thank you for your active participation in this beneficial project.

Sincerely,

ADRIENNE KLEIN  
Chief of Enforcement

AK/gg

cc: Will Duncan, USAPA [Duncan.will@epa.gov](mailto:Duncan.will@epa.gov)  
Todd Thalhamer, Cal-Recycle [todd.thalhamer@CalRecycle.ca.gov](mailto:todd.thalhamer@CalRecycle.ca.gov)  
Francis Collins, Clement Avenue Project  
Scott Roylance, Lyons Homes [scott.roylanc@lyonhomes.com](mailto:scott.roylanc@lyonhomes.com)  
Andrew Thomas, City of Alameda, [Athomas@ci.alameda.ca.us](mailto:Athomas@ci.alameda.ca.us)  
Homayune Atiqee, DTSC [Homayune.Atiqee@dtsc.ca.gov](mailto:Homayune.Atiqee@dtsc.ca.gov)