

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT: Selina Louie
MEETING DATE: April 13, 2022

ITEM: 6

Lind Tug and Barge, Inc., Oyster Shell Mining in South San Francisco Bay, San Mateo County and Alameda County – Reissuance of Waste Discharge Requirements and Water Quality Certification and Rescission of Order No. 74-28

DISCUSSION:

This Revised Tentative Order (Appendix A) would reissue Waste Discharge Requirements and Water Quality Certification for Lind Tug and Barge, Inc., (Lind) to mine oyster shells, and discharge sediment and water from the oyster shell mining operations in South San Francisco Bay. This Revised Tentative Order would also rescind Order No. 74-28.

Oyster shells have been commercially mined from South San Francisco Bay since 1924 and Lind is currently the only company mining oyster shells in San Francisco Bay. The Revised Tentative Order would permit Lind to continue mining in approximately 1,560 acres, just north of the San Mateo-Hayward Bridge, about half-way between Alameda County and San Mateo County. The dredged shells are washed with Bay water to remove the silt after they are mined. The shells are then transported by barge to Lind's processing site in Petaluma or Collinsville, where they are processed and stored. The shells are primarily used as a mineral and nutrient supplement in poultry and livestock diets.

The Revised Tentative Order includes updated requirements to reflect current regulatory changes. The updates include minimization measures to minimize impacts to aquatic habitat; compensatory mitigation measures to compensate for unavoidable impacts to aquatic habitat; discharge and receiving water quality monitoring to evaluate compliance with water quality standards, and a special study to evaluate whether oyster shell mining reduces the amount of shells available to migrate towards the shoreline to maintain hash beaches.

We received sixteen comment letters (Attachment B) on the Tentative Order circulated for public review. Fifteen of those comment letters were letters of support, including letters from Lind; small flock farmers; and agricultural feed manufacturers, suppliers, and distributors. We also received a joint comment letter from San Francisco Baykeeper and Citizens to Complete the Refuge. They raised concerns regarding the inadequacy of the special study to assess the impacts of oyster shell mining, as well as other comments including lowering the cap for the volume of oyster shells mined, the inadequacy of the two months each year that mining is curtailed, and the compensatory mitigation measures. In response to comments, we revised the Tentative Order to incorporate requirements to form technical advisory committee (TAC) to evaluate whether shell mining is affecting shoreward shell transport in a manner that causes or contributes to erosion of shell hash beach. The TAC will decide whether to complete a tracer study, date oyster shells, or use other scientific methods to evaluate the management question. We retained the volume cap, two months curtailment of mining, and compensatory mitigation measures. We prepared a detailed response to the comments (Appendix C) that explains revisions reflected in the Revised Tentative Order. The most significant changes revise the scope and tasks for the special study.

APPENDICES:

- A. Revised Tentative Order
- B. Comments
- C. Response to Comments

Appendix A

Revised Tentative Order

Appendix B

Comments Letters Received

Comment Letters Received In accordance with Section 11546.7 of the California Government Code, an electronic version of the comment letters received has not been posted online as the letters do not meet specified accessibility standards. For an electronic copy of the comments, please contact Selina Louie via email at Selina.Louie@waterboards.ca.gov or at (510) 622-2383.

Appendix C

Response to Comments