

ITEM: 8.A

Pacific Gas and Electric Company and the Port of San Francisco, Pier 39 to Pier 43½ Sediment Remediation Project, San Francisco – Adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

DISCUSSION

The attached Tentative Resolution (Appendix A) is for adoption of a [Mitigated Negative Declaration \(MND\)](#) and a Mitigation Monitoring and Reporting Program (MMRP) for the remediation of contaminated sediments between Pier 39 and Pier 43½ (the Project), pursuant to the California Environmental Quality Act (CEQA), for which the Regional Water Board is the Lead Agency. The MND includes the Initial Study. The MMRP is included as Attachment A in this Tentative Resolution and will be implemented during construction to demonstrate compliance with the mitigation measures as defined in the MND.

Additional documentation in this package includes the Responses to Comments on the MND (Appendix B). This Tentative Resolution is complimentary to Agenda Item 8.B, Tentative Site Cleanup Requirements, and will be heard concurrently but considered separately. Implementation of the CEQA mitigation measures is required pursuant to Task 26 of the Tentative Site Cleanup Requirements.

BACKGROUND

The former Beach Street Manufactured Gas Plant (MGP) operated between about 1900 and 1931, when natural gas became available in San Francisco. Between 1911 and 1931, Pacific Gas and Electric Company (PG&E) owned and operated the MGP. The gas generation processes used at the former Beach Street MGP produced various byproducts, notably non-aqueous phase coal tars and solid lampblack, all of which predominantly contain polycyclic aromatic hydrocarbons (PAHs). PAHs are a class of chemicals that occur naturally as mixtures in coal, crude oil, and petroleum products (e.g., gasoline). PAHs also are produced when coal, oil, gas, wood, garbage, and tobacco are burned. PAHs have been known to have adverse effects on humans and aquatic life. In 2012, during the permit renewal process for the Port of San Francisco (Port) maintenance dredging program, sediment testing revealed elevated PAH concentrations in the Project area.

PG&E, which retains responsibility for MGP waste from the former Beach Street MGP, began investigating the extent of MGP-derived PAH contamination in Pier 39 sediment in 2015. PG&E in conjunction with the Port (the Dischargers) submitted a [Feasibility Study/Remedial Action Plan \(FS/RAP\)](#) in 2021.

The preferred alternative identified in the FS/RAP would use a combination of dredging and capping in selected areas with significant PAH contamination, with residuals management and/or armoring where necessary, to allow focused removal and physical/chemical isolation of sediments to protect beneficial uses under current and reasonably foreseeable future conditions. The preferred remedy is designed to provide a layer of unimpacted material that serves as a protective barrier to any

impacted sediments that would remain in place. Institutional controls and monitoring would ensure that the constructed remedy remains protective. Some potential institutional controls include restrictions on the use of anchors in select areas, creation of no-wake zones, and limits to future maintenance dredging beyond the currently anticipated operational use limits. The total estimated sediment removal for this alternative is about 87,000 cubic yards over an area of about 9.8 acres and will be seasonally removed and processed for disposal and/or reuse over an anticipated period of 5 years. Benthic habitat is expected to be recolonized within one to two years after disturbance. Implementation of the FS/RAP would appropriately remediate the sediments between Pier 39 and Pier 43½ and is the basis for the Tentative Site Cleanup Requirements identified in Agenda Item 8.B.

PROJECT DESCRIPTION AND CEQA ANALYSIS

The MND analyzed the recommended alternative for remediation as described in the FS/RAP and Finding 7 of the Tentative Site Cleanup Requirements. The MND and supporting Initial Study preliminarily identified potential significant environmental effects associated with implementing planned remediation activities for biological resources, cultural and tribal resources, recreation, and transportation. These potentially significant environmental effects will be avoided or will result in less than significant impacts with the incorporation of mitigation measures, such as coordinating with relevant stakeholders to develop a plan to address impacts on boating businesses because of construction activities.

The MND and supporting Initial Study finds that the Project, as mitigated, will not result in any environmental impacts that are not sufficiently addressed by mitigation measures contained within the proposed Project or committed to by the Project proponents.

Compensatory mitigation may additionally be required for impact to Bay waters/sediment defined as jurisdictional by Section 404 of the Clean Water Act as a permitting condition by the U.S. Army Corps of Engineers, Regional Water Board, California Department of Fish and Wildlife, and the San Francisco Bay Conservation and Development Commission.

COMMENTS FROM STAKEHOLDERS AND STAFF RESPONSES

The MND, Initial Study, and Tentative Resolution were released for a 30-day public review on October 20, 2021. We received comments from a [private citizen](#) and [California Department of Fish and Wildlife \(CDFW\)](#). The full response to comments is included as Appendix B. The comments and responses are briefly summarized in this report.

The private citizen expressed concern about treating contaminated sediment from Pier 39 at Pier 96, which is in Bayview Hunters Point, an environmental justice community and whether drying on barges had been evaluated as an alternative. In response, we explained issues related to site selection, what the mitigation and safety measures are to protect the surrounding communities, and how drying on barges has additional complexities as an alternative. CDFW noted that the MND correctly described the need for CDFW consultation regarding permits, indicated agreement with the proposed mitigation measures, and recommended PG&E further consult with CDFW regarding permits.

No comments were received on the Tentative Resolution, but we revised it to include the MMRP and posted it for a 10-day public review on January 19, 2022. No comments were received on the revised Tentative Resolution.

APPENDICES

- A. Revised Tentative Resolution to Adopt a Mitigated Negative Declaration
- B. Responses to Comments

Appendix A
Revised Tentative Resolution

Appendix B

Responses to Comments