From: Smith, Robert R Jr CIV USARMY CESPL (USA) <Robert.R.Smith@usace.army.mil>
Sent: Tuesday, July 18, 2023 3:48 PM
To: Snyder, Barry <barry.snyder@wsp.com>; Gobbi, Kimbrie <kimbrie.gobbi@wsp.com>; Seneca, Lisa A CIV USN NAVFAC SW SAN CA (USA) <lisa.a.seneca.civ@us.navy.mil>; Ota, Allan <Ota.Allan@epa.gov>
Subject: FW: NBSD Mole Pier Floating Dry Dock (FDD) Dredging and Ocean Disposal Project SAP Report - EPA Region 9 suitability determination and Corps suitability determination (SUAD) (Corps nos. 2022-00586-RRS)
Importance: High

All,

Reference is made to the attached Final Sampling and Analysis Plan results document (SAPr) dated July 2023 and entitled Sampling and Analysis Plan Report for a Sediment Characterization Study to Support Proposed Dredging at the Mole Pier Floating Dry Dock at Naval Base San Diego (which also includes the attached Appendix D of agency emails), in San Diego, California as submitted by NAVFAC for the subject project. The document was prepared under the Ocean Testing Manual (OTM) and Inland Testing Manual (ITM) requirements of Section 10 of the Rivers and Harbors Act, and Section 103 of the Marine Protection, Research and Sanctuaries Act and consisted of several testing reports and previous SUAD/NUAD determinations as documented in the SAPr since 2019. The Corps acknowledges that the attached SAPr documents what dredged material is suitable (SUAD) for ocean disposal at LA-5 and what is unsuitable dredged material and is for upland disposal (NUAD). The proposed project (project) would include the following components: partial demolition of the existing Mole Pier Wharf, pile installation, drydock installation, construction of a new wharf area and vehicle access ramp, and associated dredging to ready the project site for the new remotely fabricated FDD with ocean transport of dredged material and ocean dumping of the suitable dredged material at the LA-5 ocean disposal site (LA-5 ODMDS). Dredging within the proposed project footprint would be needed to (1) accommodate the required operational depth for the FDD and (2) establish the depth needed for safe transit of vessels into and out of the FDD. Below are EPA's comments for their suitability determination. In reference to the Corps SUAD determination we office the following:

1) The dredging component to support the proposed FDD installation involves dredging and removal of approximately 110,960 cubic yards (cy) of material (this volume estimate includes the dredged material removed to the project design depth plus a 2-ft overdredge [OD] allowance) at the NAVy Mole Pier at Navy Base San Diego across three dredging areas with varying design depths. These areas include: 1) the turning basin to be dredged to a depth of -35-ft mean lower low water (MLLW); 2) the approach channel to be dredged to a depth of -37-ft MLLW; and 3) the FDD Sump footprint to be dredged to a depth of -56-ft MLLW (shown in Tale 7-1). All three of these areas were evaluated to the proposed depths plus a 2-ft (OD) allowance (to -37, -39, and -58-ft MLLW, respectively) Authorized work is also shown in Table ES-1, Figure ES-3, Figure 1-1b, Table 3-1, Table 5-1, and Table 7-1. In total, the dredge area encompasses approximately 9.98-acres of navigable waters of the U.S. The total SUAD and NUAD dredging volumes are shown in Table 7-1 and include 93,248 cy of suitable dredged material that will be barge hauled and discharged to LA-5 ODMDS (per the initial EPA LA-5 site use conditions). Note that the Corps still needs to request EPA provide the final LA-5 ODMDS site use conditions once we have a draft permit to submit to EPA and make a second request if necessary. Of this 93,248 cy of approved dredged material, approximately 22,204 cy (all within the proposed dry dock

sump) have been determined to be lithified native formational materials. Unconsolidated materials approved for ocean disposal would be dredged first and placed at the LA-5 ODMDS.

2) Following placement of the unconsolidated dredged materials, native formational materials within the NBSD FDD project footprint would be processed through a 12-inch grizzly and then crushed down to a 4-inch size fraction at the Mole Pier or other approved CDF. These sediments would be placed at the LA-5 ODMDS over a larger grid (i.e. series of quadrants) to prevent a rubble pile or potential hard bottom from forming at the ocean disposal site via placement of the native formational materials (Figure 7-3). USACE Dredging Quality Management (DQM) procedures will be followed for the project. Corps DQM and Etrac tracking of the dump scow(s) will be used during placement to ensure dredged materials are placed in the correct areas shown in the LA-5 ODMDS per Figure ES-2.

3) Following additional review, the Corps and EPA provided responses on 11 January 2023 that concurred that the SUAD and NUAD determinations and areas overlapped with those presented in the June 2019 SAP; however, the proposed alternatives to ocean disposal, which included nearshore placement at the Silver Strand, were not approved. Sediments, particularly consolidated NFM and fine sediments from Composite Area B, were not recommended for nearshore placement because their physical characteristics were not considered compatible with the Silver Strand placement site. Also the potential for unexploded ordinance (UXO) to be discharged in a nearshore area could create a public safety issue if UXO found its way into the public used nearshore or beach areas. The Corps NUAD determination hereby requires that no dredged material from the dredging project site will be deposited in the Silver Strand or any other nearshore or beach areas.

4) The Corps has determined that the approved total dredging volume shall be 110,960 cy with 93,428 cy of SUAD or suitable dredged material to be barge hauled and discharged at the LA-5 ODMDS per the LA-5 site use conditions. In reference to the NUAD determination the Corps has determined that per the SAPr that 17,721-19,321 cy of unsuitable material will be taken to an upland site (Page 6-1 and Table 7-1) which is similar to the SUAD/NUAD determination (includes an expected sedimentation rate) that was done by NAVFAC and the Corps and EPA and dated January 12, 2023. The Corps will require an updated SAPr be submitted if we get new information. Note that the attached SAPr is shown as final and is approved and may require that all pages that are now shown as Draft Final be revised to delete draft final which will require another final SAPr and that the appendixes (Appendix A, B1, B2, C1, C2, C2A, C3, C4, and D1-D3) are in our system which were reviewed. This email currently serves as the Corps and EPA SUAD and NUAD determination.

5) The Corps will be processing the permit action in the near future and may get new information as the permit process moves forward.

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https://regulatory.ops.usace.army.mil/customer-service-survey/

From: Ota, Allan (he/him/his) <Ota.Allan@epa.gov>
Sent: Monday, July 17, 2023 11:05 AM
To: Smith, Robert R Jr CIV USARMY CESPL (USA) <Robert.R.Smith@usace.army.mil>
Cc: Scianni, Melissa <Scianni.Melissa@epa.gov>
Subject: [URL Verdict: Neutral][Non-DoD Source] RE: NBSD Mole Pier Floating Dry Dock Dredging Project SAP Report - EPA Region 9 suitability determination
Importance: High

Hi, Robert.
This is a follow-up to an earlier EPA Region 9 determination suitability provided pursuant to our authorities under the Marine Protection, Research and Sanctuaries Act (MPRSA; 33 USC 1401 et seq), EPA Ocean Dumping Regulations at 40 CFR 220-227, the Clean Water Act (CWA; 33 USC 1251 et seq), and the CWA 404 Regulations at 40 CFR 230:

1. We understand this project's report (Sampling and Analysis Plan Report for a Sediment Characterization Study to Support Proposed Dredging at the Mole Pier Floating Dry Dock at Naval Base San Diego, revised July 6, 2023) has been revised again based on recent meetings with the Navy and their consultants.
2. The overall suitability determination has not changed from what was provided on January 11, 2023 (see email thread below), as described in Section 6 of the July 6 updated sediment testing report (SUAD= suitable for unconfined aquatic disposal; NUAD= not suitable for unconfined aquatic disposal).
3. The overlying unconsolidated sediments must be dredged first and be transported by scow, and each load disposed in the centrally-located surface disposal zone as identified in the LA-5 site use conditions.
4. The dredged consolidated sediment must be transported by scow and each load disposed in a wider grid of disposal cells as identified in the project-specific LA-5 site use conditions (see page 7-2 in Section 7; Figure 7-3).
5. We understand that the project volumes for the SUAD and NUAD test composites were adjusted with updated bathymetry (see Table 7-1), including 71,044 cubic yards of unconsolidated SUAD; 22,204 cubic yards of consolidated SUAD; and 17,712 cubic yards of unconsolidated NUAD.

We appreciate the coordination between our program offices. Please contact me at your convenience if you have questions.
-Allan

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Allan Ota

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Please contact me first by email to make arrangements to share the files.

"Live simply, so that others may simply live." – Saint (Mother) Teresa

From: Ota, Allan
Sent: Wednesday, January 11, 2023 3:53 PM
To: Smith, Robert R Jr CIV CESPL CESPD (US) <Robert.R.Smith@usace.army.mil>
Cc: Scianni, Melissa <Scianni.Melissa@epa.gov>
Subject: NBSD Mole Pier Floating Dry Dock Dredging Project SAP Report - EPA Region 9

Hi, Robert.
Based on our recent telephone conference call and review of the subject updated sediment testing report, EPA Region 9 has the following comments, provided pursuant to our authorities under the Marine Protection, Research and Sanctuaries Act (MPRSA; 33 USC 1401 et seq), EPA Ocean Dumping Regulations at 40 CFR 220-227, the Clean Water Act (CWA; 33 USC 1251 et seq), and the CWA 404 Regulations at 40 CFR 230:

1. We understand that this project's report has been revised per our earlier comments in an email sent on November 29, 2022; the reviewed draft report was modified to include an adjusted footprint within test composites subjected to full Tier 3 testing (Figures 3-2a and 3-2b); the volume of the overall adjusted footprint is 97,214 cubic yards, including 2-foot over-dredge depth allowance.

2. The overall suitability determination has not changed from last year's email:
    a. Section 4.1: The physical data indicate that the sediments for three of the four test composites are predominantly coarse-grained and are suitable for beneficial reuse, including nearshore placement at identified sandy beach receiver sites; FDD-B is too fine and not suitable for nearshore placement for beach nourishment (Table 4-1).
    b. Section 4.2 (corrections to the report): The chemical analysis results appear to show generally low contaminant concentrations for most constituents, except for high concentrations of mercury and PCBs in FDD-B (all 12 cores) and high mercury in FDD-D (all cores; greater than ER-L or ER-M (Tables 4-2b and 4-2d).
    c. Sections 4.4 (corrections to TRVs): The bioassays indicate these sediments are suitable for ocean disposal at LA-5:

i. 10-day acute toxicity amphipod and worm bioassays; survivals indicating passing the LPC (Table 4-11).
ii. 28-day bioaccumulation tests: no exceedances of TRVs (Table 4-15).

3. Section 5.5; Table 5-1: The NUAD sediments must be taken to an upland disposal site.

4. However, EPA Region 9's determination of alternatives for ocean disposal differs from the Navy's proposed alternatives for the Native Formation Material (NFM) as described in the email below.
    a. The NFM in the dry dock sump (Composite Area D) is expected to be dredged as larger consolidated pieces of material and would not be appropriate for nearshore placement unless ground down to a size fraction similar to the coarsest grain size for the receiver beach site.
    b. Depending on the expected volume, the NFM shall not be dumped solely in the SDZ for the LA-5 site; this targeted dumping would create a rubble pile and a potential hard bottom habitat which could nullify this site for future disposals of dredged material. Instead, the sediments shall be screened with a 12-inch grizzly and then ground down to a 4-inch size fraction, and dumping shall be managed over a larger area grid (i.e., series of quadrants).

As such, EPA Region 9 concurs that the project sediments identified in Section 5 are suitable for ocean disposal at the LA-5 ocean dredged material disposal site; one of the four composites (FDD-B) is too fine for beach nourishment and the NFM is too coarse for nearshore placement without additional management action as described above. We also understand the sediments identified as NUAD in this report (Section 5.5) would be handled/transported to an upland disposal site.

We appreciate the coordination between our program offices. Please contact me at your convenience if you have questions.
-Allan

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