

CALIFORNIA STATE LANDS COMMISSION
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Established in 1938

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May 25, 2023

SCH # 2007072036

CSLC EIR #742

CSLC File Ref: A2932, A2935, A2937, A2938, & A2939

**NOTICE OF PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
 AND NOTICE OF PUBLIC SCOPING MEETING**

NOTICE IS HEREBY GIVEN that the California State Lands Commission (CSLC), as lead agency under the California Environmental Quality Act (CEQA), will prepare a Supplemental Environmental Impact Report (SEIR) to the [San Francisco Bay and Delta Sand Mining Project](#) (Project) EIR (certified on October 19, 2012), and that CSLC staff will hold two sessions of a public scoping meeting pursuant to CEQA and the State CEQA Guidelines for the project listed below.¹

- Project Title:** San Francisco Bay and Delta Sand Mining Project
- Lead Agency:** California State Lands Commission
- Proponents:** Martin Marietta Marine Operations, LLC; Lind Marine, Inc.; and Suisun Associates
- Project Location:** The Project is located in Central San Francisco Bay, Suisun Bay, and the Middle Ground Shoals (see Attachment).
- Meeting Information:** **Thursday, June 8, 2023.** In-person session begins at **2 PM** and a separate hybrid (in-person and online Zoom) session begins at **6 PM.**

2 PM	6 PM
CSLC Marine Environmental Protection Division – Northern California Field Office: 750 Alfred Nobel Drive, Suite 201. Hercules, CA 94547 - 2nd floor. (In person only)	CSLC Marine Environmental Protection Division – Northern California Field Office: 750 Alfred Nobel Drive, Suite 201. Hercules, CA 94547 - 2nd floor. - and Via Zoom at: https://us02web.zoom.us/j/87111485778?pwd=ZFNGT0ljTk1CVFIQc1pINeJJaTgzdz09 or by Phone: 833 548 0282 (Toll Free) then enter Webinar ID: 871 1148 5778 Passcode: 559964

¹ CEQA is in Public Resources Code section 21000 et seq.; the State CEQA Guidelines are in California Code of Regulations, title 14, section 15000 et seq. The public scoping meeting will be held pursuant to CEQA (§ 21083.9, subd. (a)(2)) and the State CEQA Guidelines (§§ 15082, subd. (c), and 15083).

Notice of Preparation and Notice of Public Scoping Meeting

CSLC staff has prepared this Notice of Preparation (NOP) to solicit public and agency guidance, in writing or at the public meetings, as to the scope and content of the environmental information, mitigation measures, and alternatives to include in the SEIR. Responsible agencies will consider the SEIR for decisions related to permits or other Project approvals. This NOP, along with additional background information and the Project Description included in the Attachment, is available online at www.slc.ca.gov (under the "Information" tab and "CEQA" link).

Written comments must be postmarked or emailed by June 26, 2023.² Please send your comments by mail or email to:

<p>Mail: Christopher Huitt Senior Environmental Scientist California State Lands Commission 100 Howe Avenue, Suite 100-South Sacramento, CA 95825</p>	<p>Email: CEQA.comments@slc.ca.gov (Subject Line: SF Bay and Delta Sand Mining Project NOP Comments) Phone: (916) 574-2080</p>
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PROJECT SUMMARY The Project involves applications submitted by marine aggregate companies, Martin Marietta Marine Operations, LLC. (Martin Marietta) (formerly Hanson Marine Operations Inc., a Heidelberg Cement Group affiliate), Lind Marine Inc. (Lind), and Suisun Associates (collectively, the Applicants) for reissuance of authority to permit underwater commercial harvesting of sand from lease areas under the jurisdiction of the CSLC within San Francisco Bay and the western Delta (the Bay-Delta estuary). The purpose of sand mining is to obtain marine aggregate, which is primarily used for construction purposes. The Applicants propose a revision to the Project by the reissuance of CSLC leases with the objective to continue to mine sand at an economically viable level over the next 10 years. For more information see the Attachment to this notice, which contains a description of the proposed Project.

PROBABLE ENVIRONMENTAL EFFECTS The previous EIR (SCH# 2007072036) certified for the prior lease term in 2012, identified seven resource areas with potential environmental effects. These were Air Quality, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Recreation, and Mineral Resources. Pursuant to Public Resources Code section 21166 and CEQA Guidelines sections 15162 and 15163, the SEIR will evaluate possible impacts to these resources arising from the Project as revised from that originally evaluated and approved in 2012. The SEIR will also evaluate potential effects on environmental justice communities and Public Trust uses and values, among other topics, pursuant to CSLC policies and guidelines.

² Pursuant to State CEQA Guidelines section 15103, Responsible and Trustee Agencies shall provide a response to an NOP within 30 days after receipt of the notice.

Notice of Preparation and Notice of Public Scoping Meeting

PUBLIC SCOPING MEETING Two project scoping meetings will be held on June 8, 2023. The public scoping meeting session to be held at 2:00 PM will be for in-person attendees only. The 6:00 PM session will allow options for both in-person attendance and remote public participation using Zoom. Remote attendees may join by entering the web link or dial in to the phone number listed on page 1 of this notice. The Zoom meeting link will also be available on the CSLC website at www.slc.ca.gov (under the "Information" tab and "CEQA" link). You may join from a desktop computer, laptop, mobile device, or telephone. Staff recommends that you test out your device, internet connection, and Zoom app compatibility well before attempting to join the meeting.

The CSLC staff will begin each session with a brief presentation on the proposed Project. The material presented at both sessions will be the same. After each presentation, staff will receive comments on the environmental issues that should be included in the SEIR, until all persons present who wish to provide oral comments have done so, at which time staff will close the session. A 3-minute time limit on oral comments may be imposed. Each session will be recorded, and all comments will be summarized in a scoping memo. No Commission action on the Project will occur at these sessions; any such action will occur at a separate noticed public meeting after the SEIR has been finalized. The public and responsible and trustee agencies may provide written comments in addition to, or in lieu of, oral comments.

IMPORTANT NOTES TO COMMENTERS

1. If you submit written comments, you are encouraged to submit electronic copies by email to CEQA.comments@slc.ca.gov and write "**SF Bay and Delta Sand Mining Project NOP Comments**" in the subject line of your email.
2. Before including your mailing or email address, telephone number, or other personal identifying information in your comment, please be aware that the entire comment - including personal identifying information - may become publicly available, including in the SEIR and posted on the internet. The CSLC will make available for inspection, in their entirety, all comments submitted by organizations, businesses, or individuals.
3. If you represent a public agency, please provide the name, email address, and telephone number for the contact person in your agency for this SEIR.
4. If you require a sign language interpreter or other reasonable accommodation for a disability, as defined by the federal Americans with Disabilities Act and California Fair Employment and Housing Act, in order to participate in the scoping meeting, please contact the CSLC staff person listed below at least 5 days in advance of the meeting to arrange for such accommodation.

Notice of Preparation and Notice of Public Scoping Meeting

5. Please contact Christopher Huitt, Senior Environmental Scientist, at Christopher.Huitt@slc.ca.gov or (916) 574-2080 if you have any questions.

Signature:  Date: 5/25/2023
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Christopher Huitt
Senior Environmental Scientist

ATTACHMENT PROJECT DESCRIPTION

San Francisco Bay and Delta Sand Mining Project

1.0 PROJECT DESCRIPTION

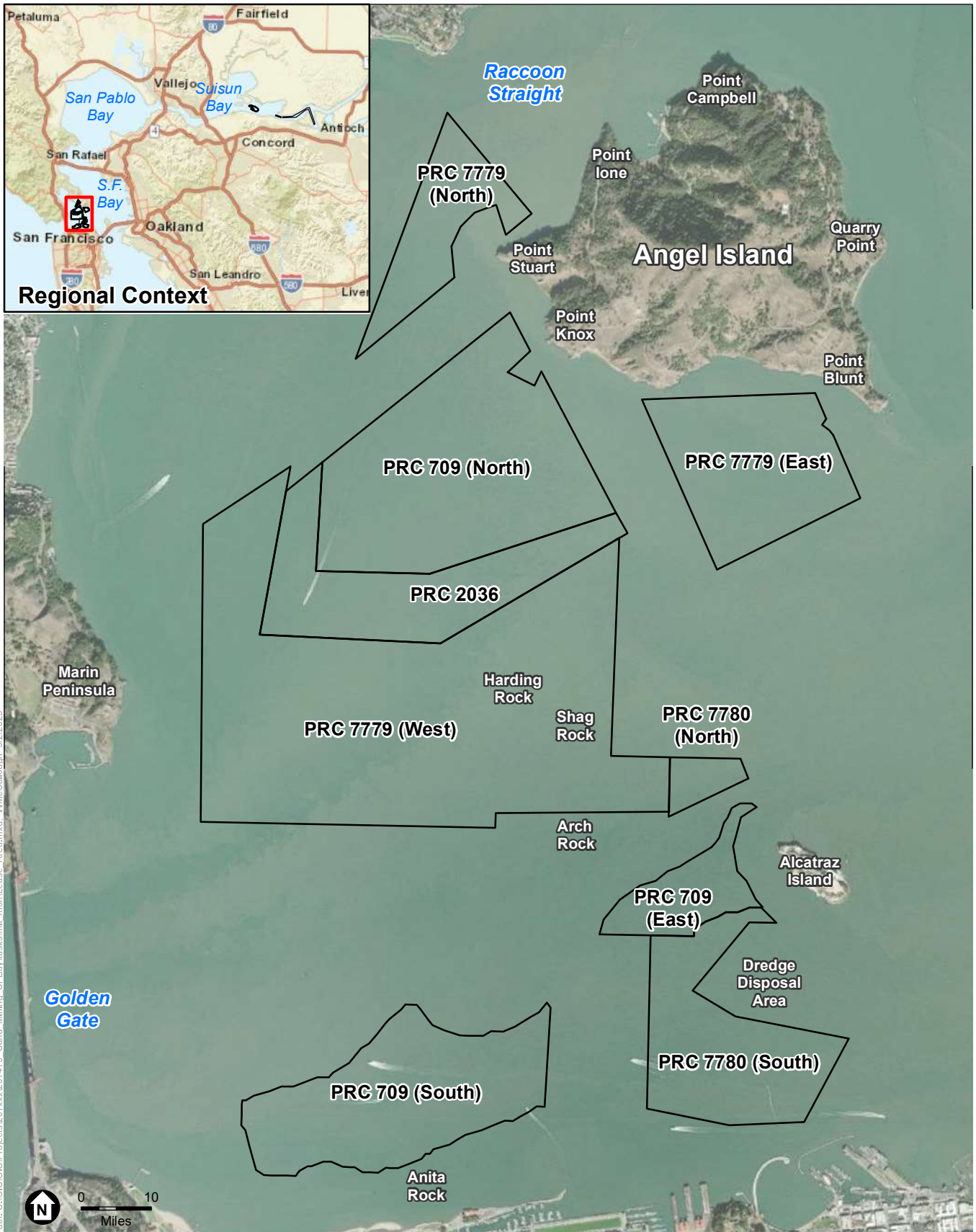
Two marine aggregate companies, Martin Marietta Marine Operations, LLC (Martin Marietta) and Lind Marine Inc. (Lind) hold leases issued by the California State Lands Commission (CSLC) to harvest sand commercially (sand mining) within San Francisco Bay and the western Delta. The leases were authorized in 2012 ([Item 101, October 19, 2012](#)) and 2013 ([Item 42, February 22, 2013](#)) by CSLC to permit the sand mining operations for a period of 10 years (Project). The Applicants have applied to the CSLC to reissue these leases to authorize commercial mining of sand for 10 additional years which will be evaluated by the CSLC as a revision to the previously approved Project. The revised Project is substantially a continuation of that described in the [San Francisco Bay and Delta Sand Mining Project](#) Environmental Impact Report (EIR) (certified on October 19, 2012); however, the Applicants propose to reduce the annual and total mining volumes from those previously evaluated and approved in 2012 and 2013, respectively.

1.1 Project Purpose and Objectives

The purpose of the Project and the proposed revision to the Project is to obtain marine aggregate, primarily used for construction purposes, within the greater San Francisco Bay area. The objective is to continue to mine sand at an economically viable level over the next 10 years.

1.2 Project Location

The proposed Project is located in the Central San Francisco Bay and in the Suisun Bay of the western Delta. The Central Bay leases constitute 2,601-acres and consist of nine (9) parcels of submerged lands within four (4) leases currently issued by the CSLC (Figure 1). The Suisun Bay lease area totals 938 acres and consists of two parcels of submerged lands within a single CSLC issued lease (Figure 2). In addition to the CSLC-issued leases, a third privately owned (not under the jurisdiction of CSLC) lease area is in the Middle Ground Shoal of Suisun Bay (Figure 2). Although outside of CSLC jurisdiction, the 2012 EIR considered, and this Supplemental Environmental Impact Report (SEIR) will consider, sand mining within the private Middle Ground Shoal lease area as part of the

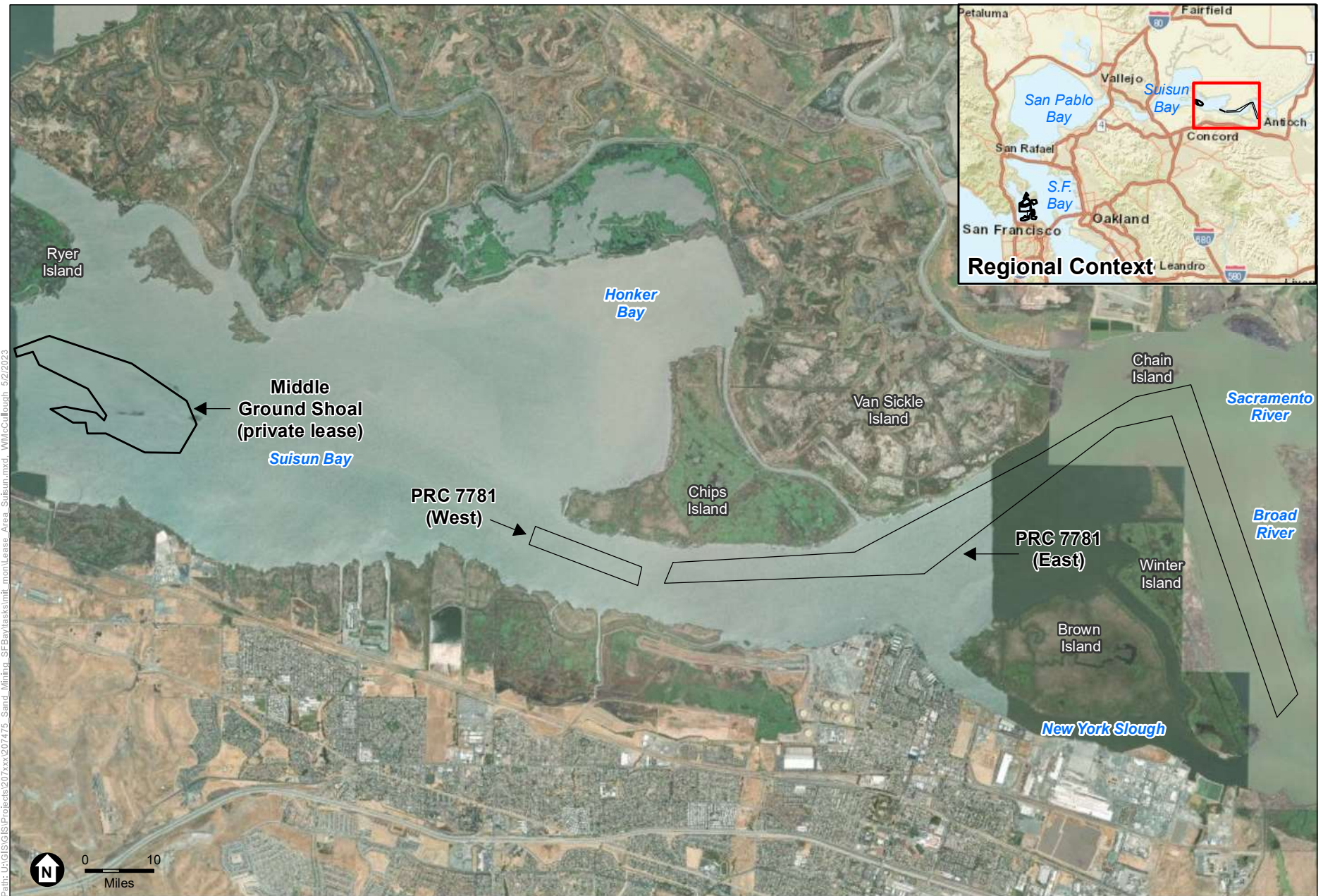


SOURCE: ESA (2022)

202000232 Sand Mining

Figure 1
Lease Areas - Central Bay





SOURCE: ESA (2022)

202000232 Sand Mining



Figure 2
Lease Areas - Suisun Bay

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proposed Project for the purpose of the environmental analysis. Sand mining activities are clustered in areas conducive to high river or tidal velocities that provide sand deposition with a low percentage of fine material (silts, clay, and mud), meaning mining activity may not occur uniformly across the entire proposed lease area.

1.3 Project Description

As originally described and evaluated in the 2012 EIR, the process of sand mining begins by using a tugboat to move a specialized suction dredge barge from its dock to a position within one of the lease areas. To begin mining, a dredge arm, which looks like a large pipe, with a metal drag head is lowered to the sandy bottom. Water from the bay or delta is entrained in the suction head generating a water and sand slurry to mobilize sand from the bay or delta bottom and pump it into a hopper on the barge. The drag head contains a screen to prevent large rocks or materials from being entrained. It also contains a suction vent fitted with a positive barrier fish screen and uses a suction velocity of 0.2 feet per second or less to prevent entrainment of fish.

Within the Central Bay leases, mining operations typically occur at water depths ranging from 30 to 90 feet and last 3 to 5.5 hours per event. Within the Middle Ground Shoal and Suisun Bay leases, mining operations typically occur at water depths ranging from 15 to 45 feet and last 5 to 7.5 hours per event.

A mining event is complete when the barge is full (to capacity) with sand. At that time, the pumping of sand is stopped, the dredge arm is raised, and the barge is moved by tugboat to one of several docking sites in the Bay Area for offloading. The barge (the *Sand Merchant*) operated by Martin Marietta is equipped with dry offloading capabilities (utilizing a conveyor belt system) and wet offloading capabilities (to pump the sand ashore). Lind's barge (J5200) is equipped for dry offloading only. An onboard front end loader transfers the sand to an onboard conveyor system that carries the sand to shore. Most offloading and sand distribution sites have limited capability to stockpile or store sand for an extended period.

The Project, as revised, proposes using equipment and methods that are substantially similar to those currently used and permitted under the existing leases and permits. The primary revision is to extend the activity analyzed in the 2012 EIR for 10 additional years. In addition to defining the geographic lease area boundaries, the CSLC leases identify the maximum allowable annual volume of sand harvested for each lease. The Project proposes reduced sand

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mining volumes compared with the currently CSLC-permitted volumes as shown below in Table 1.

Table 1. CSLC Lease Permitted Sand Mining Volumes Current and Proposed

Lease Area	Location/Lease No.	Current Annual CSLC Permitted Volumes (cy)^A	Proposed Annual Project Volumes (cy)^B
San Francisco Central Bay (CSLC Leases)	PRC 709: Presidio, Alcatraz (Martin Marietta)	340,000	235,000
	PRC 2036: Point Knox South (Martin Marietta)	450,000	450,000
	PRC 7779: Point Knox Shoal (Martin Marietta)	550,000	550,000
	PRC 7780: Alcatraz South Shoal (Martin Marietta)	200,000	160,000
	Total CSLC Central Bay Leases	1,540,000	1,395,000
Western Delta Suisun Bay (CSLC Leases)	PRC 7781: Suisun Bay/Western Delta (Lind)	300,000	235,000
Total CSLC Leases (All Areas)		1,840,000	1,630,000
Western Delta Suisun Bay (Private Leases)	Grossi Middle Ground: BCDC Permit 16-78 (Lind) ^C	199,866	120,000
Total Volume (CSLC and Private Leases)		2,039,866	1,750,000

Source: Hanson Marine Operations, Inc. Application to CSLC for New Leases (CSLC, 2020)

Notes: Units are shown in cubic yards per year

- A. The current annual CSLC permitted volumes were analyzed in the 2012 San Francisco Bay and Delta Sand Mining EIR.
- B. The requested annual volumes are reduced from those currently authorized by CSLC but are equivalent to peak mining volumes currently permitted by other jurisdictional agencies (e.g., the San Francisco Bay Conservation and Development Commission).
- C. The private Grossi Middle Ground lease does not require CSLC authorization, but mining volumes are presented for information and will be included in the scope of the SEIR analysis.

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2.0 PERMITS AND AGENCY COORDINATION

Sand mining in the San Francisco Bay and Delta is a highly regulated activity. In addition to the proposed action by CSLC, the Project would require permits and approvals from Responsible Agencies with jurisdiction in the Project area. The Project may also be of interest to Native American tribes and Trustee Agencies, the latter of which are agencies without permitting jurisdiction but nonetheless possessing jurisdiction over natural resources affected by the Project. Responsible Agencies, Trustee Agencies, Tribal consultation, and anticipated permits are summarized in Table 2.

Table 2. Potential Responsible, Coordinating, and Consultation Agencies/Entities

Local & Regional	San Francisco Bay/Central Valley Regional Water Quality Control Boards- Water Quality Certification and Waste Discharge Requirements Bay Area Air Quality Management District Bay Conservation and Development Commission- major permit
State	California Coastal Commission California Department of Fish and Wildlife- Incidental Take Permits State Historic Preservation Office
Federal	U.S. Army Corps of Engineers- Rivers and Harbors Act Section 10 U.S. Fish & Wildlife Service- Consultation under the Endangered Species Act (ESA) National Oceanic and Atmospheric Administration – National Marine Fisheries Service- Consultation under ESA and essential fish habitat assessment under Magnuson-Stevens Act
Tribal	Proposed Project activities will be coordinated with local tribes consistent with AB 52 and the CSLC's Tribal Consultation Policy adopted in August 2016

3.0 SCOPE OF THE SEIR

Pursuant to Public Resources Code section 21166 and State California Environmental Quality Act (CEQA) Guidelines sections 15162 and 15163, the CSLC staff conducted a preliminary review of the proposed Project as revised and determined that a Supplemental EIR is required to ensure that the previous 2012 EIR adequately applies to the Project in the changed situation. A preliminary list of environmental issues to be discussed in the SEIR is provided below. Additional issues may be identified during the public scoping period and through public and agency input received as part of the CEQA process. The CSLC invites comments and suggestions on the scope and content of the environmental analysis, including the significant environmental issues and

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mitigation measures that should be considered for inclusion in the SEIR. The CSLC uses the following designations when examining each environmental issue area for potential impacts.

Potentially Significant Impact	Any impact that could be significant, and for which feasible mitigation must be identified and implemented, is considered potentially significant. If any potentially significant impacts are identified that cannot be mitigated to a less-than-significant level, the impact would be <i>significant and unavoidable</i> .
Less than Significant with Mitigation	If any potentially significant impacts are identified for which feasible, enforceable mitigation measures are developed and imposed to reduce the impacts to levels below applicable significance thresholds, the impact would be <i>less than significant with mitigation</i> .
Less than Significant Impact	Any impact that would not be considered significant under CEQA relative to the applicable significance threshold, and therefore would not require mitigation, is a less than significant impact.
No Impact	The Project would not result in any impact to the environmental issue area considered.
Beneficial Impact	The Project would provide an improvement to the associated environment in comparison to the baseline conditions.

3.1 Currently Identified Potential Environmental Impacts

Pursuant to section 15163 of the Guidelines, the SEIR need contain only the information necessary to make the previous EIR adequate for the project as revised. The preliminary list of environmental issues that may be evaluated in the SEIR due to the proposed Project are as follows:

- Biological Resources
- Cultural and Tribal Cultural Resources
- Hydrology and Water Quality

Additional issues may be identified at the public scoping meeting, and in written comments, as part of the CEQA public review process. The CSLC invites comments and suggestions on the scope and content of the environmental analysis, including the significant environmental issues, mitigation measures, and alternatives that should be included in the SEIR. The SEIR will also evaluate potential effects on environmental justice communities and Public Trust uses and values, among other topics, pursuant to CSLC policies and guidelines.