

# **ERRATA TO THE FINAL SUPPLEMENTAL EIR FOR THE SAN FRANCISCO BAY AND DELTA SAND MINING PROJECT**

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## **INTRODUCTION**

This Errata documents minor technical corrections and clarifications to the Final Supplemental Environmental Impact Report (SEIR) for the San Francisco Bay and Delta Sand Mining project (Revised Project). The corrections herein do not constitute significant new information. The modifications simply refine and clarify the Final SEIR to provide adequate information for decision makers at the California State Lands Commission (CSLC), responsible and trustee agencies, and members the public.

The California Environmental Quality Act (CEQA) requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred, pursuant to California Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5, but before the EIR is certified. Section 15088.5 of the CEQA Guidelines states:

“New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.”

CEQA Guidelines Section 15088.5(b) states that “(r)ecirculation is not required where new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.”

The information added to the Final SEIR in this Errata does not disclose new significant environmental impacts that would result from the Revised Project, nor add new mitigation or increase the severity of an environmental impact. Additionally, the modifications to the Final SEIR are not significant because the SEIR is not changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project. Based on the above, the clarification to the Final SEIR would not result in any new significant impacts or a substantial increase in the severity of any impact already identified in the Final SEIR. In addition, the Errata consists of corrections to the Final SEIR that merely clarifies, amplifies or makes insignificant refinements to the information that has already been presented in the Final SEIR. Thus, none of the conditions in Section 15088.5 of the CEQA Guidelines are met, and recirculation is not required.

#### **CORRECTIONS TO FINAL SEIR PART II RESPONSES TO COMMENTS**

Final SEIR Part II inadvertently omitted two comment letters received during the public review period. Both omitted letters request an extension of the public comment period for review of the Draft SEIR and were responded to in Master Response A – Public Review Period. For the record, Subpart II.B (beginning on page II-203) and Subpart II.C (beginning on page II-210) are revised to include the following comments and responses.



SAN FRANCISCO  
**BAYKEEPER**®

September 23, 2025

California State Lands Commission  
Environmental Science, Planning, and Management Division  
Attn: Christopher Huitt  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825  
Email: CEQA.comments@slc.ca.gov; [Christopher.Huitt@slc.ca.gov](mailto:Christopher.Huitt@slc.ca.gov)

**Subject:** Request for a 15-day Extension of Public Comment Period – San Francisco Bay and Delta Sand Mining Project SEIR, SCH #2007072036; CSLC EIR #742, CSLC File Ref: A2932, A2935, A2937, A2938, & A2939

Dear Mr. Huitt,

San Francisco Baykeeper joins Citizens Committee to Complete the Refuge in writing to formally request a 15-day extension of the public comment period for the San Francisco Bay and Delta Sand Mining Project Subsequent Environmental Impact Report (SEIR). San Francisco Baykeeper (“Baykeeper”) submits this request on behalf of approximately 5,000 members and supporters who live and recreate in and around the San Francisco Bay Area. Together, our mission is to defend San Francisco Bay from the biggest threats and hold polluters and government agencies accountable to create healthy communities and help wildlife thrive. Our team of scientists and lawyers investigate pollution via aerial and water patrols, strengthen regulations through science and policy advocacy, and enforce environmental laws on behalf of the public.

The SEIR and its appendices are long, complex, and extensively reference the San Francisco Bay and Delta Sand Mining Project (Project) EIR (certified on October 19, 2012), which is also an extremely lengthy document with many references and appendices. Given the scope and complexity of the review required for these comments, we respectfully ask the State Lands Commission (“Commission”) for a 60-day review period. We feel this is the minimum necessary to adequately ensure meaningful public participation.

O 10-1

Attached please find the letter submitted by Citizens Committee to Complete the Refuge, which Baykeeper joins in its entirety. Baykeeper also believes that the factors enumerated therein—the complexity of review, deficiencies in the notice, the breadth of potential impacts, and unforeseen capacity constraints—militate for the grant of an extension.

Public participation is a key element of the CEQA process. (Cal. Code Regs. tit. 14 § 15201.) Meaningful public participation in agency decision-making allows the public to help agencies identify the full scope of environmental impacts associated with a proposed action, thereby furthering CEQA’s goals of “tak[ing] all actions necessary to protect, rehabilitate, and enhance the environmental quality of the state” and “ensur[ing] that the long-term protection of the environment...shall be the guiding criterion in public decisions.” (Pub. Resources Code § 21001.) If

the Commission does not extend the SEIR comment deadline, public participation will be limited and less meaningful, and the resulting record will be incomplete. To ensure a complete record, which properly addresses the public's concerns regarding the project's potential impacts and thereby allows the Commission to make a fully informed decision on the project, the Commission must allow an extension of time.

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O 10-1  
cont.

We appreciate your consideration of this request and look forward to submitting complete comments on this important project.

Respectfully,



Ben Eichenberg  
Senior Staff Attorney  
San Francisco Baykeeper  
ben@baykeeper.org

ATTACHMENT 1



# Citizens Committee to Complete the Refuge

P.O. Box 23957, San Jose, CA 95153

Tel: 650-493-5540

Email: [cccrrefuge@gmail.com](mailto:cccrrefuge@gmail.com)

[www.bayrefuge.org](http://www.bayrefuge.org)

September 22, 2025

California State Lands Commission  
Environmental Science, Planning, and Management Division  
Attn: Christopher Huitt  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825  
Email: [CEQA.comments@slc.ca.gov](mailto:CEQA.comments@slc.ca.gov); [Christopher.Huitt@slc.ca.gov](mailto:Christopher.Huitt@slc.ca.gov)

**Subject:** Request for a 15-day Extension of Public Comment Period – San Francisco Bay and Delta Sand Mining Project SEIR, SCH #2007072036; CSLC EIR #742, CSLC File Ref: A2932, A2935, A2937, A2938, & A2939

Dear Mr. Huitt,

On behalf of the Citizens Committee to Complete the Refuge (CCCR), I am writing to formally request an 15-day extension of the public comment period for the San Francisco Bay and Delta Sand Mining Project Subsequent Environmental Impact Report (SEIR).

Pursuant to the California Environmental Quality Act (CEQA), the public review period for a draft environmental impact report shall not be less than 30 days nor more than 60 days. Given the scope and complexity of this SEIR, we respectfully urge that for this SEIR a 60-day review period is absolutely necessary and warranted to ensure meaningful public participation.

Several factors support this request:

1. **Complexity of Review** – The SEIR is tiered from and incorporates by reference the 2012 EIR. As a result, commenters must review and cross-reference two lengthy environmental documents to adequately evaluate the project’s impacts. This constitutes a “double review” requiring more time than a single EIR.
2. **Deficiencies in Notice** – The Notice of Availability states that the Public Comment period began August 15, 2025. Important stakeholders, such as the members of the Bay Conservation and Development Commission’s [Sand Studies Commissioner Working Group](#), did not receive notice of the SEIR release until September 2, 2025, a couple weeks after the official release date. This delay materially shortened the effective review period, undermining CEQA’s requirement for adequate public review.
3. **Breadth of Potential Impacts** – The project has the potential to affect a wide range of biological resources and habitats within the San Francisco Bay-Delta estuary. Comprehensive evaluation requires coordination among multiple disciplines and subject-matter experts, which cannot be reasonably completed within the current 45-day comment period.

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4. **Unforeseen Circumstances** – Many organizations, including ours, are currently constrained in capacity by reduced staffing and limited funding availability. In addition, August and September coincide with critical field work obligations that prevent the allocation of sufficient staff resources to a thorough review within the existing deadline.

Considering these circumstances, and consistent with CEQA’s statutory framework, we respectfully request an extension of **15 additional days** for public comment. This extension would not exceed the 60-day review period authorized under CEQA and would ensure that the review process remains legally sufficient, transparent, and inclusive of all interested parties.

We appreciate your consideration of this request and look forward to contributing substantive and informed comments once adequate time is provided. Please do not hesitate to contact me at email provided should you require any further information.

Respectfully submitted,



Carin High  
Co-Chair  
Citizens Committee to Complete the Refuge  
[cccrefuge@gmail.com](mailto:cccrefuge@gmail.com)

↑  
O 10-2  
cont.

**Responses to O10 Comments: SF Baykeeper**

O10-1            See Master Response A -Public Review Period, which explains why the CSLC, as CEQA Lead Agency, decided not to extend the 45-day public review period for the Draft SEIR.

O10-2            A duplicate of Comment letter O1 is provided by the commenter. For this comment, see also Master Response A - Public Review Period, which explains why the CSLC, as CEQA Lead Agency, decided not to extend the 45-day public review period for the Draft SEIR.

Huitt, Christopher@SLC

From: Hannah Weipert <hw104@humboldt.edu>  
Sent: Monday, September 29, 2025 4:20 PM  
To: Comments, CEQA@SLC; Huitt, Christopher@SLC  
Subject: Request for Extension of Public Comment Period – San Francisco Bay and Delta Sand Mining Project SEIR SCH #2007072036; CSLC EIR #742 CSLC File Ref: A2932, A2935, A2937, A2938, & A2939

You don't often get email from hw104@humboldt.edu. [Learn why this is important](#)

**Attention:** This email originated from outside of SLC and should be treated with extra caution.

Dear Mr. Huitt,

On behalf of myself, I am writing to formally request an extension of the public comment period for the San Francisco Bay and Delta Sand Mining Project Subsequent Environmental Impact Report (SEIR).

Pursuant to the California Environmental Quality Act (CEQA), the public review period for a draft environmental impact report shall not be less than 30 days nor more than 60 days. Given the scope and complexity of this SEIR, we respectfully conclude that the 60-day review period is warranted to ensure meaningful public participation. Several factors support this request:

- 1. Complexity of Review – The SEIR is tiered from and incorporates by reference the 2012 EIR. As a result, commenters must review and cross-reference two lengthy environmental documents to adequately evaluate the project’s impacts. This constitutes a “double review” requiring more time than a single EIR.
- 2. Deficiencies in Notice – Certain stakeholders, including members of the Bay Conservation and Development Commission’s Sand Studies Commissioner Working Group did not receive notice of the SEIR release until September 2, 2025, a couple weeks after the official release date. This delay materially shortened the effective review period, undermining CEQA’s requirement for adequate public review.
- 3. Breadth of Potential Impacts – The project has the potential to affect a wide range of biological resources and habitats within the San Francisco Bay-Delta estuary. Comprehensive evaluation requires coordination among multiple disciplines and subject-matter experts, which cannot be reasonably completed within the current 45-day comment period.
- 4. Unforeseen Circumstances – Many organizations, including ours, are currently constrained in capacity by reduced staffing and limited funding availability. In addition, August and September coincide with critical field work obligations that



I 2-1

prevent the allocation of sufficient staff resources to a thorough review within the existing deadline.

Considering these circumstances, and consistent with CEQA's statutory framework, we respectfully request an extension of 15 additional days for public comment. This extension would not exceed the 60-day review period authorized under CEQA and would ensure that the review process remains legally sufficient, transparent, and inclusive of all interested parties.

We appreciate your consideration of this request and look forward to contributing substantive and informed comments once adequate time is provided. Please do not hesitate to contact me at [phone/email] should you require any further information.

Sincerely,

Hannah Weipert



I 2-1  
cont.

**Responses to I2 Comments: H. Weipert**

I2-1            See Master Response A -Public Review Period, which explains why the CSLC, as CEQA Lead Agency, decided not to extend the 45-day public review period for the Draft SEIR.

### **CORRECTIONS TO FINAL SEIR PART III**

To rectify clerical errors, text revisions to the Final SEIR have been made with additions underlined and deletions in ~~strikeout text~~.

Section ES.4.2, Alternatives Considered (Final SEIR page ES-9) contained a list of alternatives that did not accurately reflect the list of alternatives considered and evaluated in the SEIR (Section 4.4). The Reduced Project Alternative was in fact considered in the SEIR (as described in Section 4 and evaluated in Section 5) and is so added to the list. The Revised Project is not considered as an alternative in the SEIR (per Section 4.0), as it is the project being evaluated, and so is struck from the list. The correction are shown in underlined and ~~strikeout text~~, as follows.

#### **ES.4.2 Alternatives Considered**

The following alternatives were evaluated in this SEIR:

- ~~• Revised Project~~
- Reduced Project
- No Project Alternative

See SEIR Section 4, Alternatives.

Section ES 4.3 Environmentally Superior Alternative, (Final SEIR page ES-9) incorrectly summarized the contents of Section 5.7, Environmentally Superior Alternative, of the Final SEIR. The corrections below are made to ensure consistency with the evaluation in the body of the Final SEIR, Section 5.7, and are inclusive of the alternatives screening process described in Final SEIR Part II, Master Response E, Alternatives. The corrections are shown in underlined and ~~strikeout text~~, as follows.

#### **ES.4.3 Environmentally Superior Alternative**

As explained in Section 6.6 of the 2012 EIR, CEQA Guidelines section 15126.6(d) requires an EIR to include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. Section 15126.6(e)(2) further states, in part, that "*If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.*"

SEIR Section 5.7 explains that the No Project Alternative would be the environmentally superior alternative because it would avoid all of the potential significant impacts of the Revised Project. Thereafter, consistent with the direction in CEQA Guidelines section 15126.6(e)(2) and based on the comparison of alternatives provided in Section 4 of this SEIR, Section 5.7 explains that among the other alternatives, the Commission ~~preliminarily~~ has identified the Revised Reduced Project Alternative as the environmentally superior alternative."

Section 4.3.5, Clamshell Dredge Mining Alternative, (beginning on SEIR Part III page 4-8) is revised as follows to correct the final significance determination as described in the Biological Resources section and in the remainder of the SEIR. This clarification more accurately explains the reasoning for why the Clamshell Dredge Mining Alternative was rejected from detailed analysis. The corrections are shown in underlined and ~~strikeout text~~, as follows.

As analyzed in SEIR Section 3.2, Biological Resources, because the Revised Project operations include use of the fish screen, the potential for take of listed delta or longfin smelt is substantially reduced when compared to the 2012 Project. ~~the Revised Project would have a significant impact due to the potential entrainment and mortality of delta and longfin smelt even with the fish screen in place because the established significance threshold would be exceeded if the Revised Project has a potential to "take" any part of the population of a special status species (such as a state or federally endangered species) through direct effects or indirect harm through the disturbance or loss of habitat.~~ Because the Clamshell Dredge Mining Alternative is not expected to reduce ~~would reduce, but not avoid~~, the potential to take an individual of a special status fish species, compared with the Revised Project, the Clamshell Dredge Mining Alternative would have the same or greater impact in this regard as the Revised Project. Therefore, the CSLC has rejected the Clamshell Dredge Mining Alternative in this SEIR based on Screening Criterion 3: Avoidance or Substantial Reduction of Significant Impacts of the Revised Project.

Section 5.7, Environmentally Superior Alternative (Final SEIR page 5-6) contained language that was specifically applicable to the Draft SEIR about the preliminary determination of the environmentally superior alternative. That text was meant to be removed from the Final EIR when a definitive determination was made and is now struck (in ~~strikeout~~) from the text. Additionally, clarifying text is added to Section 5.7 with regard to potential air quality impacts of the No Project

Alternative that were discussed in Section 4.4.1, but not carried into Section 5.7. The corrections are shown in underlined and ~~strikeout~~ text.

### **“5.7 ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

As explained in Section 6.6 of the 2012 EIR, CEQA Guidelines section 15126.6(d) requires an EIR to include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. Section 15126.6(e)(2) further states, in part, that “*If the environmentally superior alternative is the “No Project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.*”

As analyzed in Section 4 of this SEIR, the No Project Alternative would be the environmentally superior alternative because it would avoid almost all of the potential significant impacts of the Revised Project; however if the No Project Alternative were selected, then this SEIR assumes that air quality impacts associated with the import of sand from other mining operations or sources would increase. Therefore, consistent with the direction in CEQA Guidelines section 15126.6(e)(2) and based on the comparison of alternatives provided in Section 4 of this SEIR, among the other alternatives, the Commission ~~preliminarily~~ has identified the Reduced Project Alternative as the environmentally superior alternative. ~~Additional information received in or developed during the agency and public review period for the Draft SEIR or during the Project approval process that could affect the Lead Agency’s decision in balancing the respective benefits and consequences of the alternatives. Therefore, this preliminary determination as to which alternative is the Environmentally Superior Alternative will be confirmed or corrected in the Final SEIR.”~~