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## San Francisco Bay Regional Water Quality Control Board

*Sent via electronic mail: No hard copy to follow.*  
December 15, 2023

Ms. Khamly Chuop  
Port of Oakland  
530 Water Street  
Oakland, CA 94607  
E-mail: [TurningBasins@portoakland.com](mailto:TurningBasins@portoakland.com)

**Subject: Comments on Oakland Harbor Turning Basins Widening Navigation Study Draft Environmental Impact Report.**

Dear Khamly Chuop:

The San Francisco Bay Regional Water Quality Control Board (Water Board) appreciates the invitation to comment on the Draft Environmental Impact Report (EIR) with the comment period ending December 18, 2023. To date, the Water Board has participated in both the public meetings and the Regulatory Advisory Workgroup Meetings and provided comments on the Draft Environmental Assessment. Thank you for committing to the following.

1. Taking all suitable dredged sediment to beneficial reuse sites: On page 2-33, the Port commits to take all suitable material, as defined by the Dredge Material Management Office, to an approved beneficial reuse site as either cover or non-cover material.
2. Obtaining a Water Quality Certification (Certification) under Section 401 of the Clean Water Act (CWA) on page 2-40.
3. Obtaining coverage under the Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities: On page 2-40, it is noted the Port will obtain coverage under the NPDES Construction General Permit Order 2022-0057-DWQ.
4. Coordinating and obtaining approval from the Department of Toxic Substances Control regarding the removal of material from Howard Terminal: Pages 3.9-5 to 3.9-8 describe the history of contamination and remediation at Howard Terminal as it relates to the Project.

Oakland Harbor Turning Basins Widening Project  
Comments on Revised Draft Integrated Feasibility Report and Environmental Assessment

Please note we believe the Corps is subject to the Porter-Cologne Water Quality Control Act (Porter-Cologne). As such, the Water Board intends to issue waste discharge requirements (WDRs) for this project as outlined on page 3.4-17. Additionally, the Port of Oakland, as the local sponsor, is required to be listed as a co-applicant with the Corps for all Water Board permits, including 401 Certification, NPDES, and WDRs.

The Water Board asks for a ground water and soil analysis of suspected contaminants within and adjacent to the Inner Harbor Turning Basin project area to better understand the potential of discharges to the San Francisco Bay and groundwater. Under Porter-Cologne, the Water Board has jurisdiction to protect the quality of waters of the State, including groundwater.

Should you have any questions please email Jazzy Graham-Davis of my staff, at [Jazzy.Graham-Davis@waterboards.ca.gov](mailto:Jazzy.Graham-Davis@waterboards.ca.gov).

Sincerely,

Xavier Fernandez  
Planning Division Manager

cc (via email):

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