

Appendix A
Letter Request From RWQCB For FS Addendum

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Winston H. Hickox
Secretary for
Environmental
Protection



Gray Davis
Governor

California Regional Water Quality Control Board San Francisco Bay Region

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Date: November 5, 2001
File No. 2119.1045 (pg)

Rhodia, Inc.
Attn: Anthony Koo
100 Mococo Road
Martinez, California 94553

Subject: Water Code Section 13267 Request for Information from Rhodia Inc., Martinez.

Dear Mr. Koo:

The San Francisco Regional Water Quality Control Board (SFRWQCB) requires additional information before evaluating Rhodia's selected remediation alternative for Peyton Slough. We are requesting this information because Rhodia has not provided sufficient evidence detailing which of the two preferred alternatives established in the Feasibility Study (March 2001) best meets the project goals, and because there are potential permitting obstacles. Please submit the following two documents, described below, by December 15, 2001: (1) an Addendum to the Feasibility Study and (2) an Interested Party and Permit Status Report.

(1) ADDENDUM TO THE FEASIBILITY STUDY (MARCH 2001)

The Rhodia, Inc. Peyton Slough Feasibility Study (March 2, 2001) provides a comparison of seven remediation strategies for Peyton Slough. Among those seven strategies, two are forwarded as feasible alternatives: (1) excavating a new slough alignment in uncontaminated soil adjacent to the existing slough, then filling the existing slough with clean sediment, or (2) dredging and capping the existing slough. Please provide an Addendum to the Feasibility Study indicating which remediation alternative is preferred. The Addendum must include substantive evidence indicating why the selected alternative is preferred, and incorporate, but not be limited to, the following:

1. Conceptual analysis of the extent (area and depth) of habitat that will be impacted by construction (short-term).
2. Conceptual analysis of the long-term positive and/or negative impacts of the remediation on habitat and wildlife, including McNabney Marsh.
3. Revised cost analysis.

(2) INTERESTED PARTY AND PERMIT STATUS REPORT

Please submit an Interested Party and Permit Status Report describing Rhodia's current interactions with the agencies/landowners listed below. The report shall pertain to the remediation alternative selected in the Addendum to the Feasibility Study, and shall include, but not be limited to, the following:

1. Last date of contact.
2. Name of primary contact and contact information (address, phone, e-mail).
3. Documentation of current interactions, including requests and concerns of interested parties.
4. Any additional information requested below.

Please include the following interested parties:

Permits

1. SF Bay Conservation and Development Commission (BCDC)
2. Army Corps of Engineers
3. City of Martinez

Endangered/Sensitive Species; Habitat Conservation

4. Department of Fish and Wildlife Services
5. Department of Fish and Game

Please include a list of deadlines for issues such as species investigations, as well as time frames within which the project must be completed to accommodate the breeding/spawning season(s) of endangered and sensitive species.

Land Access

6. State Lands Commission
7. Shore Terminals

Please confirm that the landowner will grant adequate access to their property to allow for the construction activities and is aware of potential property sales or transfers.

Upstream Impacts

8. Contra Costa Mosquito and Vector Control District (CCMVCD) and/or McNabney Marsh Advisory Committee
9. Contra Costa County Flood Control District
10. Mt. View Sanitary District

Others

11. Please include the status for any interested party that was overlooked in the above list.

This request for technical reports is made pursuant to Water Code Section 13267, which allows the Board to require technical reports and information from persons whose activities may have an impact on water quality. This is a formal request for information. If you have any questions, please contact Priya Ganguli of my staff at (510) 622-2427 [e-mail pg@rb2.swrcb.ca.gov].

Sincerely,



Stephen I. Morse
Assistant Executive Officer

For:

Loretta K. Barsamian
Executive Officer

cc: Mark F. Lambert
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