

**CALENDAR ITEM
C51**

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06/28/10

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SLL 111
D. Oetzel / D. Plummer

LICENSE - PUBLIC AGENCY USE

APPLICANT:

United States Army Corps of Engineers
Formerly Used Defense Sites
1325 J Street
Sacramento, California 95814

AREA, LAND TYPE, AND LOCATION:

270 acres, more or less, of sovereign land at the Hamilton North Antenna Field (NAF), formerly a portion of the Hamilton Army Air Field, (HAAF), City of Novato, Marin County.

AUTHORIZED USE:

Excavation and removal of approximately 90,000 cubic yards of contaminated soil and anthropogenic debris, such as metal, wood, or concrete encountered during excavation activities, and construction of temporary haul roads to transport the contaminated soil and debris off-site.

LICENSE TERM:

Two years, beginning June 28, 2010.

CONSIDERATION:

No monetary consideration will be charged as the project will result in a public benefit by protecting the public's health and safety and enhancing the environment. The excavated material may not be sold.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to access the Hamilton North Antenna Field (NAF) through adjacent lands owned by the California Coastal Conservancy.
2. The NAF was acquired in 1985 by the California State Lands Commission (CSLC) as part of the settlement of litigation issues with the federal government involving lands at HAAF. The area was historically bay and salt marsh, which was drained after the construction of levees. The NAF

CALENDAR ITEM NO. **C51** (CONT'D)

is part of the congressionally authorized Hamilton Wetlands Restoration Project (HWRP) and has been leased to the California Coastal Conservancy (Coastal Conservancy). Remediation of the NAF will facilitate the HWRP.

The NAF was used by the military primarily for communications, small arms training, ammunition burning, and fire suppression training. The United States Army Corps of Engineers (USACE) has investigated the site with the California Department of Toxic Substances Control (DTSC) acting as the State lead agency under CEQA and providing oversight. It was determined that the former operations at the site have negatively impacted the soils with contaminants including lead, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Dibenzo(a,h)anthracene, Indeno(1,2,3-cd)pyrene Petroleum Hydrocarbons, and dioxins.

The USACE has prepared a Time Critical Removal Action (TCRA) to reduce the risk to human health at the site. The TCRA identifies excavation, stockpiling, and off-site disposal of contaminated soils as the most appropriate remedial alternative to reduce risk at the site. It is anticipated that approximately 90,000 cubic yards of soil needs to be removed from the NAF. Based upon analysis of previous soil sampling results, at least 25,000 cubic yards of soil will require disposal at an off-site legally permitted landfill. The soils designated for off-site disposal will be temporarily staged on a portion of the NAF for waste profiling purposes for a period of less than 90 days. The remaining 65,000 cubic yards, which may be suitable for reuse, will be stockpiled in 500 cubic yard windrows on land that is owned by the Coastal Conservancy and lies adjacent to the NAF. These soils will be tested to ensure compliance with the stockpile requirements developed by DTSC, the San Francisco Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Game. Any 500 cubic yard windrow that does not meet the stockpiling requirements will be designated for off-site disposal. The reusable soil will remain stockpiled for up to three years and managed by the Coastal Conservancy pursuant to a Stockpile Management Plan. Future reuse of the soil will be regulated by the RWQCB.

3. A Mitigated Negative Declaration (SCH # 2009122079) and a Mitigation Monitoring and Reporting Plan were prepared and adopted on June 23, 2010 for this project by the California Department of Toxic Substances Control. The California State Lands Commission's staff has reviewed such document.

CALENDAR ITEM NO. **C51** (CONT'D)

- 4 This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

California Department of Toxic Substances Control.

EXHIBITS:

- A. Location and Site Map
- B. Mitigation Monitoring Program

PERMIT STREAMLINING ACT DEADLINE: N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

Find that a Mitigated Negative Declaration (SCH # 2009122079) and a Mitigation Monitoring and Reporting Plan were prepared by the California Department of Toxic Substances Control and adopted on June 23, 2010 for this project and that the Commission has reviewed and considered the information contained therein.

Adopt the Mitigation Monitoring Program, as contained in Exhibit B, attached hereto.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

AUTHORIZATION:

Authorize Issuance of a License – Public Agency Use, to the United States Army Corps of Engineers beginning June 28, 2010, for a term of two years, for the excavation and removal of approximately 90,000 cubic yards of soil and anthropogenic debris from the NAF, as shown on Exhibit A attached and by this reference made a part hereof; consideration is the public health and safety.