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2 This Initial Study/Final Proposed Mitigated Negative Declaration (IS/MND) has been
3 prepared by the California State Lands Commission (CSLC), as lead agency under the
4 California Environmental Quality Act (CEQA), to analyze and disclose the environmental
5 effects associated with the DuPont Oakley Outfall Removal and Final Closure Project
6 (Project), which involves the removal and final closure of an obsolete National Pollutant
7 Discharge Elimination System (NPDES) outfall pipe. The Project site is located on
8 sovereign land in the San Joaquin River adjacent to 6000 Bridgehead Road, near the
9 city of Oakley in Contra Costa County (see Figure ES-1). The property at 6000
10 Bridgehead Road is a former E.I. du Pont de Nemours and Company (DuPont or
11 Applicant) manufacturing facility that has been decommissioned and demolished.
12 Removal and demolition of the outfall pipe is expected to occur in the fall of 2013 and
13 take approximately 6 weeks to complete, including mobilization, demolition and
14 demobilization.

15 **EXISTING CONDITIONS**

16 On August 15, 1956, the CSLC authorized a 49-year Right-of-Way Easement to DuPont
17 for a parcel of land located in the San Joaquin River in Contra Costa County near what
18 is now the city of Oakley. The easement is adjacent to DuPont’s Oakley property on
19 which DuPont operated a chemical manufacturing plant (formerly the DuPont Antioch
20 Works) from 1956 to 1998. Figure ES-2 and the 65% design drawing provided in
21 Appendix A show the approximate alignment of the outfall pipe within sovereign lands
22 and on the DuPont property.

23 Shortly after the lease was authorized in 1956, DuPont constructed an outfall pipe on
24 the leased land. The 36-inch-diameter outfall pipe was used in conjunction with former
25 manufacturing operations and was decommissioned in 1999 after the manufacturing
26 plant closed. The pipe was subsequently plugged at its inlet and no wastewater or
27 stormwater currently discharges from the pipe. The pipe extends from the bank 200 feet
28 into the river, the first approximately 60 feet buried to a depth of 2 feet, the remaining
29 length lying on the bed of the river anchored by three concrete pipe anchors, each of
30 which measures 5 feet by 5 feet by 2 feet. On October 19, 2012, the CSLC granted a
31 new 4-year General Lease - Right-of-Way Use to DuPont for the outfall. The term of the
32 new lease is from October 19, 2012, until October 18, 2016. The new lease may be
33 terminated early should DuPont remove the outfall pipe prior to the lease’s end date.

34 The DuPont Oakley property encompasses approximately 378 acres (see Figure ES-1).
35 In 1998, DuPont began the process of closing operations and restoring the upland. Most
36 buildings and site improvements were demolished in 1998 and 1999. The property is
37 zoned heavy industrial and designated light industrial in the city of Oakley’s 2020
38 General Plan (City of Oakley 2010).



LEGEND

- Headwall
- Access Road and Haul Route
- Approximate Area of Demolition Activity
- Wetlands
- Property Boundary

Obsolete NPDES Outfall Pipe:

- 36-inch Diameter Steel Pipe
- 24-inch Diameter PVC Pipe

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Parsons Environment & Infrastructure

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Title: **Project Area Detail Map**

Removal of Obsolete NPDES Outfall Pipe
DuPont Oakley Site
Oakley, Contra Costa County, California

Drawn/Approved: PDS/DJB	File Project Number: 446381
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Revised:	
File Name: Figure 2-2 Project Detail	

1 DuPont has entered into a Corrective Action Consent Agreement with the California
2 Department of Toxic Substances Control (DTSC) for the DuPont Antioch Works site,
3 effective June 17, 2003 (Hazardous Waste Control Act [HWCA] P2-02/03-005). Soil and
4 groundwater at the site are being investigated to identify the nature and extent of
5 chemical releases associated with the former manufacturing operations. Based upon
6 the investigation results, remedial technologies and corrective measures will be
7 selected and implemented to clean up the site with the eventual goal to allow
8 redevelopment of the site for industrial, commercial office, or possible retail use. The
9 investigations and remediation activities are being conducted in accordance with the
10 requirements of the Resource Conservation and Recovery Act (RCRA) with oversight
11 by the DTSC. As part of the corrective action process for the facility, the DTSC
12 approved the *Phase III Surface Water and Sediment Request for Information Report*,
13 dated December 27, 2007.

14 The 2007 report, which was prepared to satisfy the closure requirements under the
15 NPDES permit and RCRA, found that the surface water and sediment characteristics in
16 the vicinity of the NPDES outfall pipe do not warrant remediation or further ecological
17 risk evaluations. DuPont is now proposing to proceed with removal, demolition, and
18 disposal of the NPDES outfall pipe.

19 **PROPOSED PROJECT**

20 Final construction plans and specifications would be prepared under the direction of a
21 California Professional Engineer (PE) licensed as a civil engineer. A 24-inch-diameter
22 polyvinyl chloride (PVC) pipe extends northward on the DuPont property until it reaches
23 a point about 50 feet south (inside) of the DuPont property boundary where it transitions
24 at a headwall from the 24-inch PVC pipe to a 36-inch-diameter steel pipe. The steel
25 pipe continues northward from the headwall about 250 feet into the river. The first 50
26 feet of the pipe are on DuPont's property and the remaining 200 feet are on State lands.
27 Beyond the headwall, the steel pipe is located within waters of the United States, either
28 within jurisdictional wetlands for the first approximately 60 feet or the San Joaquin River
29 for the remaining length. The pipe extends along the riverbed to a point where it is about
30 15 feet below the water surface elevation at high tide.

31 DuPont is proposing to cut the outfall pipe at the PVC-to-steel transition point at the
32 headwall. To provide access for cutting the pipe, soil covering the headwall in the
33 upland portion of the Project site would be excavated. Once the pipe is made accessible
34 and is cut, the headwall would be demolished and the PVC segment would be plugged,
35 sealed, and reburied. The PVC segment that, as proposed, would remain in place would
36 lie entirely within the DuPont property, outside of State lands.

37 The steel segment of pipe on the river side of the headwall would be removed from the
38 river using a barge-mounted crane that would pull the pipe and three concrete anchors

1 up from the riverbed and place the steel sections of pipe and concrete anchors on a
2 barge for subsequent disposal. Alternatively, the pipe and concrete anchors may be
3 extracted from the riverbed and pulled onto shore where they would be dismantled. If
4 onshore dismantling is the selected approach, the pipe would be cut into segments and
5 loaded onto trucks in the upland area located south of the headwall and adjacent to the
6 access road. The demolished pieces of steel pipe and concrete anchors would be
7 transported off site either by barge or by trucks for recycling. A specific recycler has not
8 been identified, but numerous licensed facilities are located around San Francisco Bay
9 and in nearby cities of the Central Valley within 50 miles of the Project site. After the
10 pipe is removed, the land and riverbed surfaces in the tidelands portion of the Project
11 site would be restored as nearly as possible to pre-Project conditions as required by
12 lease. If backfill is needed to restore the land or riverbed surfaces, the backfill would be
13 obtained from an existing on-site stockpile of soil, obtained from an off-site source, or a
14 combination of these in order to obtain material with the appropriate physical
15 characteristics. The on-site stockpile consists of clean, native soil that was generated by
16 excavation activities on another portion of the DuPont property. Any soil obtained from
17 an off-site source would also be clean and free of any contaminants.

18 In addition to attaining the Project objective to remove the obsolete NPDES pipe from
19 State lands, pulling the pipe from the river using the proposed approach would minimize
20 disturbance to the narrow band of wetland habitat that is present along the shoreline.
21 Protections are included in the design submittal to minimize impacts to water quality, air
22 quality, vegetation, and wildlife during demolition activities as described in the following
23 paragraphs.

24 Prior to starting demolition work, a Storm Water Pollution Prevention Plan (SWPPP)
25 would be prepared in accordance with the California Statewide General Construction
26 Permit and the East Contra Costa County Municipal NPDES Permit. The SWPPP would
27 identify precautions to be implemented during demolition work to protect the river and its
28 tributaries from fuels, oils, sediment and other harmful materials. It would specify how
29 the work would be conducted and scheduled so as to avoid or minimize siltation and
30 muddying of the river's waters by Project activities. The SWPPP would address site
31 inspections, employee training, and best management practices (BMPs) for erosion
32 control, inlet protection, waste and material management, equipment management and
33 fueling, silt fencing, and silt curtains. Specific protections would include temporary
34 fencing to preserve vegetation beyond the limits of construction in upland and wetland
35 areas and a floating silt curtain to avoid or minimize siltation and muddying of waters
36 outside of the immediate aquatic work area. The SWPPP would be prepared and
37 implemented by a Qualified SWPPP Developer (QSD) and a Qualified SWPPP
38 Practitioner (QSP), certified by the State.

39 The Project would implement measures to avoid or minimize the generation of dust
40 during both work and non-working periods in accordance with the Bay Area Air Quality

1 Management District (BAAQMD) requirements for dust control at construction sites.
2 Most demolition activities would occur over water, where dust generation would not be
3 an issue, while some staging and materials handling would occur in upland areas. A
4 small number of workers and vehicles or equipment would access the site and travel
5 between the soil stockpile and work area or the staging area and work area. The access
6 road, proposed staging location, and most of the haul route on the upland part of the
7 Project site are paved and would not be potential sources of dust. A short segment of
8 the haul route near the soil stockpile and the road that parallels Lauritzen Yacht Harbor
9 are exceptions. BMPs to control dust on unpaved routes and in the upland work area
10 would include the use of water, non-toxic soil stabilizers, and wind screens, as needed,
11 to minimize the generation of dust. Trucks hauling soil, sand or other loose material
12 would be covered or would maintain at least 2 feet of freeboard, and be loaded to avoid
13 spillage before being driven off site. Wheels would be cleaned, as needed, to avoid
14 tracking of soil onto pavements. Operations would cease and disturbed areas would be
15 stabilized when wind gusts exceed 25 miles per hour or when visible dust plumes
16 emanate from site. If visible soil materials are carried to adjacent streets, the streets
17 would be swept at least once a day using street sweepers or roadway washing trucks.

18 The Project also includes the following emission reduction measures in the Project
19 plans and specifications to reduce emissions of criteria air pollutants and greenhouse
20 gases: 1) harborcraft such as derricks, barges, and tug boats shall meet the most
21 stringent U.S. Environmental Protection Agency (USEPA) emission standard in place at
22 the time of bid (Tier II for marine engines and non-road engines over 750 horsepower
23 (hp), Tier III for all other engines); 2) portable equipment with engines 50 hp and over
24 shall be permitted through the California Air Resources Board's (CARB) Portable
25 Equipment Registration Program; 3) use diesel oxidation catalysts and/or catalyzed
26 diesel particulate traps; 4) use high-pressure fuel injectors on diesel-powered
27 equipment; and 5) maintain equipment according to manufacturer specifications.

28 **ENVIRONMENTAL IMPACTS AND PROPOSED MITIGATION MEASURES**

29 Table ES-1 shows the anticipated level of Project-related impacts to each resource as
30 determined through the environmental analysis that is detailed in Section 3 of the
31 IS/MND. Table ES-2 lists the Project-specific Applicant Proposed Measures (APMs) and
32 mitigation measures (MMs) designed to reduce or avoid potentially significant impacts
33 that are included as part of the Project description (for APMs) or recommended as a
34 result of the environmental analysis detailed in Section 3 (for MMs). With incorporation
35 of the proposed mitigation measures, all Project-related impacts would be reduced to
36 less than significant.

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Table ES-1
Environmental Issues and Potential Impacts

No Impact	Less than Significant Impact	Less than Significant Impact with Mitigation
<ul style="list-style-type: none"> • Agricultural and Forestry Resources • Cultural Resources • Geology and Soils • Land Use and Planning • Mineral Resources • Population and Housing • Public Services • Recreation 	<ul style="list-style-type: none"> • Aesthetics • Air Quality/Greenhouse Gas Emissions • Noise • Utilities and Service Systems 	<ul style="list-style-type: none"> • Biological Resources • Hazards and Hazardous Materials • Hydrology and Water Quality • Transportation/Traffic

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Table ES-2
Summary of Recommended Project Mitigation Measures

Air Quality
APM-1: Dust Control Measures
APM-2: Air Pollutant Control Measures
Biological Resources
MM BIO-1: Worker Environmental Awareness Program (WEAP)
MM BIO-2: Delta Tule Pea Avoidance and Construction Protections
MM BIO-3: Special-Status Plant Species Avoidance and Minimization Measures
MM BIO-4: In-Water Work Windows and Protections
MM BIO-5: Surveillance and Monitoring of Western Pond Turtle and Giant Garter Snake
MM BIO-6. Swainson's Hawk Surveillance and Monitoring Program
MM BIO-7. California Black Rail Surveillance and Avoidance Program
MM BIO-8: Nest Surveys and Impact Avoidance and Minimization Measures for Breeding Birds
MM BIO-9: Avoidance and Minimization Measures for Impacts to Wetlands and Waters of the United States
Hazards and Hazardous Materials
MM WQ-1: Prepare Storm Water Pollution Prevention Plan (SWPPP) and Implement Best Management Practices (BMPs)
Hydrology and Water Quality
MM WQ-1: Prepare Storm Water Pollution Prevention Plan (SWPPP) and Implement Best Management Practices (BMPs)
Transportation / Traffic
MM TRAF-1: Coast Guard Local Notice to Mariners and Notice to Marinas

1 This IS/MND is intended to provide the CSLC and other responsible agencies with the
2 information required to exercise their discretionary responsibilities with respect to the
3 proposed Project. The document is organized as follows:

- 4 • **Section 1** provides an introduction to the environmental review process. It
5 describes the purpose and organization of this document and presents a
6 summary of findings.
- 7 • **Section 2** describes the proposed Project, including background and need, the
8 schedule for construction and future maintenance, and provides a summary of
9 the design features.
- 10 • **Section 3** presents an analysis of a range of environmental issues identified in
11 the CEQA Initial Study Checklist. From this analysis, the following identifications
12 are made:
 - 13 ○ The existing setting for each issue;
 - 14 ○ The corresponding range of impacts that would result;
 - 15 ○ A discussion of various Project changes and/or mitigation measures that,
16 if incorporated into the Project and implemented, would mitigate or avoid
17 such impacts, such that no significant effect on the environment would
18 occur.
- 19 The range of impacts includes no impact, less than significant impact, less than
20 significant impact with mitigation, or a potentially significant impact.
- 21 • **Section 4** presents the CSLC's Environmental Justice Policy.
- 22 • **Section 5** presents the Mitigation Monitoring Program (MMP).
- 23 • **Section 6** provides information on report preparation of this IS/MND and lists the
24 references used in preparation of this IS/MND.
- 25 • **Appendices** - The appendices include plans, data, and other information
26 submitted by the Applicant and analyzed in this IS/MND.
 - 27 ○ **Appendix A:** 65% Design Plan, 36-Inch Steel Outfall Pipe Removal,
28 Oakley, California;
 - 29 ○ **Appendix B:** Air Emissions Calculations; and
 - 30 ○ **Appendix C:** Reconnaissance-Level Biological Survey Report (Parsons
31 2010).