

Arc Ecology

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April 30, 2004

NAVFACENGCOM Southwest Division
Ms. La Rae Lander
1230 Columbia St., Suite 1100
San Diego, California 92101-8517

BY E-MAIL: larae.landiers@navy.mil

RE: Proposed No Action Plan for Site 13, Offshore Sediments
Naval Station Treasure Island

Dear Ms. Lander:

The No Action Plan proposed for Offshore Treasure Island is based in part on the conclusion that offshore sediments do not pose a risk to humans. We have continuing concerns (articulated in our comments on the Offshore OU RI) that the investigation of this site has not provided the necessary evidence or analysis to support this conclusion.

The risk associated with fishing activities, raised by us and others, has been dismissed with references to the RI for the Onshore OU, which also fails to fully investigate the problem. In addition, ongoing land use planning efforts have indicated that many people currently engage in water sports at Treasure Island and that their numbers are likely to increase. The risks associated with these activities have not been addressed.

Questions about human risk were raised independently in numerous comments on the Remedial Investigation of Offshore Sediments Operable Unit (See attachment 1, which incorporates all public and agency comments on the Offshore RI by reference).

- ♦ Comment # 2 by James M. Polisini, Ph.D. (page E-2)
- ♦ Comment # 2 by DTSC (page E-14)
- ♦ Comment # 16 by Arc Ecology (page E-43)
- ♦ Comment # 2 by Nathan W. Brennan (page E-45)
- ♦ Comment #2 by City of San Francisco (page E-49)
- ♦ Comment # 7 by City of San Francisco (page E-61)

Responses to questions and comments on human health risk do not adequately address concerns:

The Navy's response to widely shared concerns about the unsupported Offshore RI did not result in additional analysis in the final RI. Instead the Navy referred commenters to §3.7.3.2 of the RI for the Onshore OU. See attachment 1 for details. There are several problems with this referral:

The referral makes it more difficult for the public to participate in the comment process. There is no good reason why substantive responses to the comments about human health risk should not be provided in the RI for the Offshore OU.

This burdensome approach gives an appearance of evasiveness.

The Onshore RI refers the reader back to the Offshore RI for critical analysis concerning Site 13.

“Samples of sediments that surround the island are currently being collected as part of the off-shore ecological risk assessment to determine the extent that NAVSTA TI operations have altered sediment contaminant levels.” (Onshore RI, page 3-34)

The on-shore analysis does not provide the information that commenters requested.

“Exposure to fish caught in the surface waters surrounding NAVSTA TI is not quantitatively evaluated in this BHRA. (Onshore RI, page 3-35)

Furthermore, exposure levels are based on land use assumptions in the Onshore RI (§3.7.3.5) that are not valid. Waters sports, in which there is potential for direct contact with bay waters is on-going (e.g., sailboarding, the marina) and plans are under way for expansion. Yet the Onshore RI assumes that soccer will be the only active recreational use.

“...the exposure parameters used to evaluate risks associated with recreational use at NAVSTA TI assume the recreational user is involved in a sport such as soccer, only. (Onshore RI, pp 3-41 and 3-42).

The Navy’s disavowal of responsibility for contaminated sediments leaves the public unprotected.

The primary rationale offered by the Navy for their proposal for no action is that it is difficult to link the contamination of sediments to Navy actions. This narrow approach does not take into account that the public will assume that the site is clean once the Navy has concluded its cleanup efforts. The Navy is responsible for investigating whether the sediments are hazardous to humans. If they are, the Navy has a responsibility to inform members of the public who are likely to be exposed to the hazardous materials, whether through consumption of contaminated fish, or water sports.

The problem with a decision to take no action is compounded by the fact that other environmental review process (such as the EIS and the EIR) rely on the Navy’s cleanup activities to evaluate the adverse impacts of redeveloping the base. For this reason, we are providing these comments to the City of San Francisco to be included in the EIR record.

Conclusions

Until all risks are disclosed, the Proposed Plan is invalid. We request that the Navy withdraw the Proposed Plan for Site 13 until they have modified the Onshore and Offshore RIs to bring them into alignment, and until all public comments have been properly addressed. The Navy should disclose actual contamination even if they are not required to remediate per CERCLA.

Thank you for providing this opportunity to comment.

Yours truly,

Eve Bach
Staff Economist/Planner

Cc: Mr. Paul Maltzer, Environmental Review Officer

NAVY RESPONSES TO COMMENTS

Comment by	Page	Navy Response
Arc Ecology	E-43	<p>Although ingestion of fish caught in the bay may contribute to a human health risk, this risk cannot be readily attributed to activities at NAVSTA TI. It is well documented that ingesting fish caught in San Francisco Bay can result in adverse health effects. A study by the Regional Water Quality Control Board (RWQCB) on ingestion of San Francisco Bay fish resulted in the issuance of a health advisory on fish consumption by the California Environmental Protection Agency (CAL/EPA 1995). For the RWQCB study, fish were collected from 13 sampling locations between May 2 and June 10, 1994. The species that were sampled are representative of fish that are commonly caught and eaten in all areas of San Francisco Bay and that are more likely to be contaminated because of their fat content. Fillets were then analyzed for more than 100 potentially harmful chemicals. Of these chemicals, polychlorinated biphenyls (PCB), mercury, chlordane, DDT, dieldrin, and dioxins were detected at levels of concern (CAL/EPA 1995).</p> <p>The risk to human health from fish consumption is addressed in further detail in Section 3.7.3.2 of the RI report for the onshore OU.</p>
Nathan W. Brennan	E-45	<p>Although ingestion of fish caught in the bay might contribute to a human health risk, this risk cannot be readily attributed to activities at NAVSTA TI. It is well documented that ingesting fish caught in San Francisco Bay can result in adverse health effects. A study by the California Regional Water Quality Control Board (RWQCB) on ingestion of San Francisco Bay fish resulted in the issuance of a health advisory on fish consumption by the California Environmental Protection Agency (CAL/EPA 1995). Fish were collected from 13 sampling locations for the study between May 2 and June 10, 1994. The species sampled are representative of fish that are commonly caught and eaten in all areas of San Francisco Bay and are more likely to be contaminated because of their fat content. Fillets were then analyzed for more than 100 potentially harmful chemicals. Of those chemicals, PCBs, mercury, chlordane, DDT, dieldrin, and dioxins were detected at levels of concern (CAL/EPA 1995).</p> <p>The risk to human health from fish consumption is addressed in further detail in Section 3.7.3.2 of the onshore OU RI report.</p>

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San Francisco	E-61	<p>Although ingestion of fish caught in the bay might contribute to a human health risk, this risk cannot be readily attributed to activities at NAVSTA TI. It is well documented that ingesting fish caught in San Francisco Bay can result in adverse health effects. A study by the RWQCB on ingestion of San Francisco Bay fish resulted in the issuance of a health advisory on fish consumption by Cal/EPA (1995). Fish were collected from 13 sampling locations for the study between May 2 and June 10, 1994. The species sampled are representative of fish that are commonly caught and eaten in all areas of San Francisco Bay and are more likely to be contaminated because of their fat content. Fillets were then analyzed for more than 100 potentially harmful chemicals. Of those chemicals, PCBs, mercury, chlordane, DDT, dieldrin, and dioxins were detected at levels of concern (Cal/EPA 1995).</p> <p>The risk to human health from fish consumption is addressed in further detail in Section 3.7.3.2 of the onshore OU RI report.</p>
James Polisini, PhD	E-2	<p>Although ingestion of fish caught in the bay might contribute to a ...).</p> <p>The risk to human health from fish consumption is addressed in further detail in Section 3.7.3.2 of the onshore OU RI report.</p>
DTSC	E-14	<p>The offshore OU RI report will indicate that there is no direct human exposure to subtidal sediments as well as reference Section 3.7.3.2 of the onshore RI report.</p>