



California Regional Water Quality Control Board

San Diego Region

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Item 10
Supporting Document No. 1.A

TO: Barbara Evoy
Deputy Director, Division of Financial Assistance
State Water Resources Control Board

FROM: David W. Gibson 
Executive Officer
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

DATE: July 20, 2010

**SUBJECT: REQUEST FOR CLEANUP AND ABATEMENT ACCOUNT FUNDS FOR
SAN DIEGO BAY SHIPYARD SEDIMENT SITE ENVIRONMENTAL
IMPACT REPORT**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is seeking funding from the Cleanup and Abatement Account (CAA) to retain a qualified environmental consultant to prepare an environmental impact report (EIR) for the tentative Cleanup and Abatement Order for the Shipyards Sediment site in San Diego Bay. The proceedings on the CAO were referred to confidential mediation by Board Chair David King in June 2008. Through the course of the mediation the responsible parties and the San Diego Water Board Cleanup Team reached agreement on appropriate cleanup levels, the preliminary remedial design, remediation and post-remediation monitoring requirements, and a remedial action implementation schedule.

Before the San Diego Water Board can adopt tentative Cleanup and Abatement Order No. R9-2011-0001 an EIR must be prepared and certified. Unfortunately, the responsible parties have failed to reach agreement on allocation of the costs of preparing the EIR, necessitating this request for funding for the EIR from the CAA. As the funds will be used for environmental consultation on a cleanup and abatement order, in the event the tentative CAO is adopted by the San Diego Water Board and upheld after all appeals, pursuant to authority granted in Water Code section 13304, the San Diego Water Board intends to recover the funds from the responsible parties.

Preparing and certifying the EIR is the critical path for adoption of this important CAO. I would greatly appreciate your Division's expedited processing of this request. I would also request that at the earliest opportunity, this item be placed on the State Water Resources Control Board's agenda for consideration.

California Environmental Protection Agency

In his memo dated July 16, 2010, Mr. King directed me to request an "emergency sole source allocation" for this project. I would appreciate any direction you can provide with respect to the State's procedures and requirements for emergency and non-competitively bid contracts.

If you have questions regarding this funding request package, please contact Ms. Julie Chan of my staff at 858 627-3926 or via email at jchan@waterboards.ca.gov. Alternatively, you can also contact Mr. Vicente Rodriguez at 858 627-3940 or via email at vrodriguez@waterboards.ca.gov.

Attachments: CAA Funding Request Form
Memo from Christian Carrigan dated July 9, 2010
Memo from David A. King dated July 16, 2010
Scope of Work and Budget

cc via email: Mr. Jim Maughan, State Water Board, Division of Financial Assistance
Mr. Scott Couch, State Water Board, Division of Financial Assistance
Ms. Catherine Hagan, State Water Board, Office of the Chief Counsel
Mr. Christian Carrigan, State Water Board, Office of Enforcement