From: FitzGerald, Shannon (Federal)
To: Shawn Jensen (sjensen@altasea.org)
Cc: Bansal, Shalini (Federal); Millius, Kerstin (Federal); Tisopulos, Tara (TTisopulos@portla.org)
Subject: list of remaining environmental actions
Date: Monday, June 27, 2016 1:30:59 PM

Hi Shawn,

Here is a list of remaining environmental items that need to be completed for EDA's NEPA review. Some of these may have already been resolved since our June 16, 2016 call.

1. EDA needs State Historic Preservation Officer (SHPO) concurrence for the entire EDA-funded project.
    a. The U.S. Army Corps of Engineers (Corps) initiated a National Historic Preservation Act Section 106 consultation with the SHPO for the part of the project that the Corps permit is for (piles). In the May 18, 2016 letter from the SHPO concurred with the Corps' determination of No Adverse Effect. The SHPO noted that the Corps did not identify access, staging or laydown areas within the Area of Potential Effect nor was the vertical extent of the project, however because the site consists of fill, those concerns were waived.
    b. The Corps did not consult on the ramps, stairs, bathrooms, utilities, excavation, paving, etc that are part of the larger EDA project. The Port has done the cultural resources studies under CEQA for the Master Plan EIR and there is a supplement to the EIR. On our last call, the Port was going to provide AltaSea with cultural resources information that just pertained to the EDA project. AltaSea would use that information to consult with the SHPO on EDA's behalf.
    c. The Corps had consulted with Tribal Contacts regarding its part of the project. AltaSea is consulting with Tribal Contacts on the parts of the project that the Corps did not consult on.

2. We are waiting for the Corps to finalize their HRA Section 10 permit. As part of this, the Regional Water Quality Control Board will issue a Clean Water Act Section 401 Water Quality Certification. EDA will need the final documents.

3. As part of the Section 10 permit, the Corps is consulting with the biological resource agencies on the pile replacement and new piles.
    a. The Corps' Letter of Permission (LOP) Agency Notification stated that there will be direct and indirect temporary adverse impacts to Essential Fish Habitat and managed fish species. However, the National Marine Fisheries Service doess not object to the issuance of the Corps' permit as long as there are:
        i. Pre-construction eelgrass and *Caulerpa* surveys; and
        ii. A soft start technique during pile driving.
    b. The Corps determined that the project may affect but would not likely adversely affect California least terns (CLT) foraging in the area. The project would have no effect on the CLT nesting site that is approximately two miles away. Construction may be scheduled to avoid impacts to individuals that may be in the Port complex.

c. The Environmental Narrative mentions sea turtles and other marine mammals. The Corps' LOP does not mention these. Did the Corps determine that they are not in the project area?

4. Finalization of the Coastal Zone Development Permit from the California Coastal Commission.
5. Finalization of the South Coast Air Quality Management District's Permit
6. It was noted that the Port's Harbor Engineering Permit to AltaSea will include a number of cultural resources, biological resources and hazardous waste/toxic substances mitigation measures.
   This will help address issues such as the proper disposal of soil that will be excavated and removed from the site.

We look forward to speaking with you at 2 pm.
Thanks, *Shannon*

Shannon FitzGerald, Regional Environmental Officer
U.S. Dept. of Commerce, Economic Development Administration
915 Second Avenue, Room 1890, Seattle, Washington 98174
Phone: 206-220-7703 Fax: 206-220-7657
sfitzgerald@eda.gov