

**CARGILL SOLAR SEA SALT PONDS
OPERATION AND MAINTENANCE PERMIT -
APPLICATION NO. 2021.003.00
STAFF PRESENTATION**

JENN HYMAN, PE, BCDC SENIOR ENGINEER

JUNE 1, 2023 COMMISSION MEETING

APPLICANT: CARGILL, INC.

Photo from Cargill web site

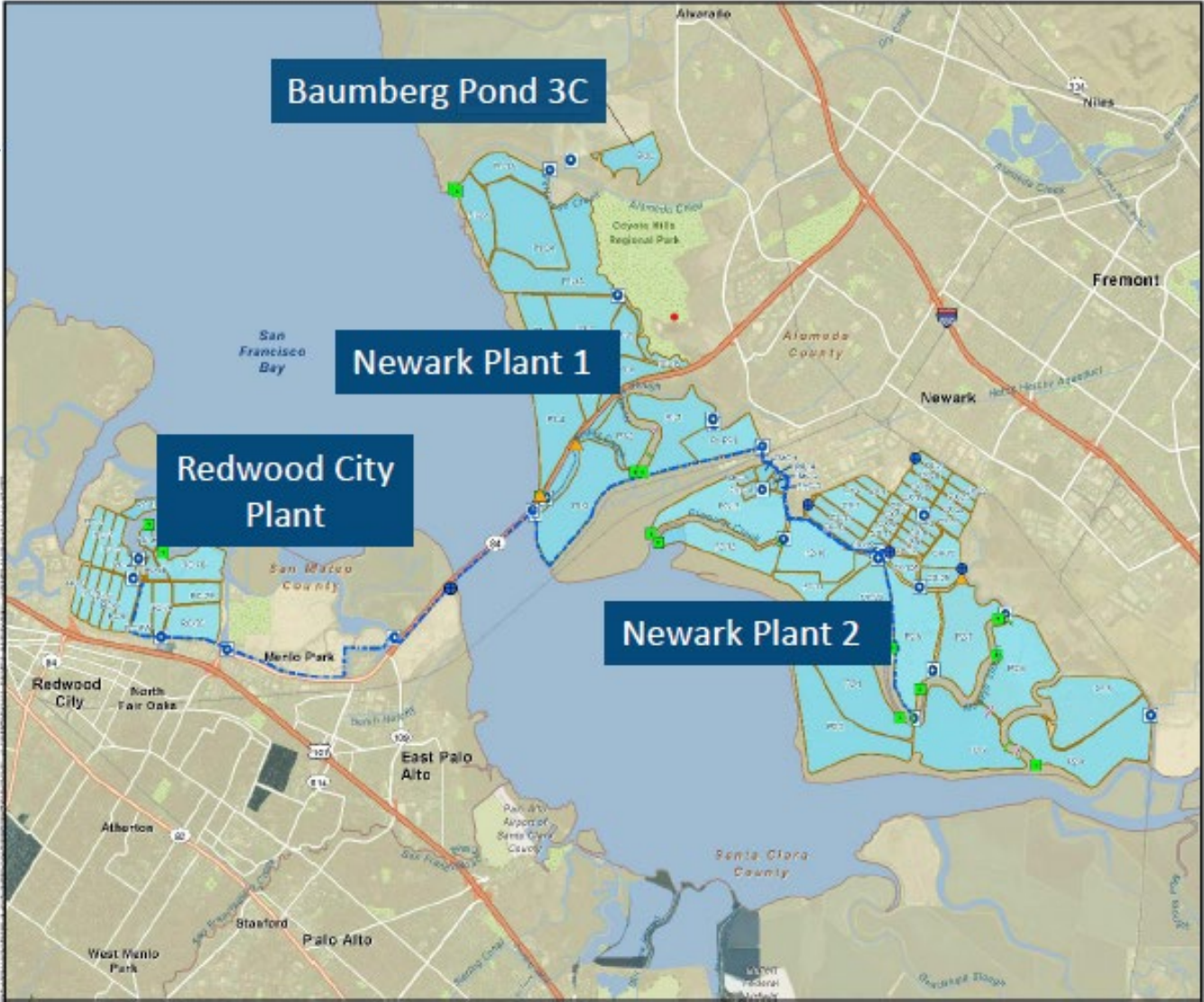
HISTORY OF SALT MAKING IN THE BAY

- Natural salt pans formed on the Bay shore and were harvested by native tribes
- The managed solar salt industry began in the mid-1850s
- In 1936 the Leslie Salt Company arose from the consolidation of 19 small operations
- Cargill purchased Leslie in 1978



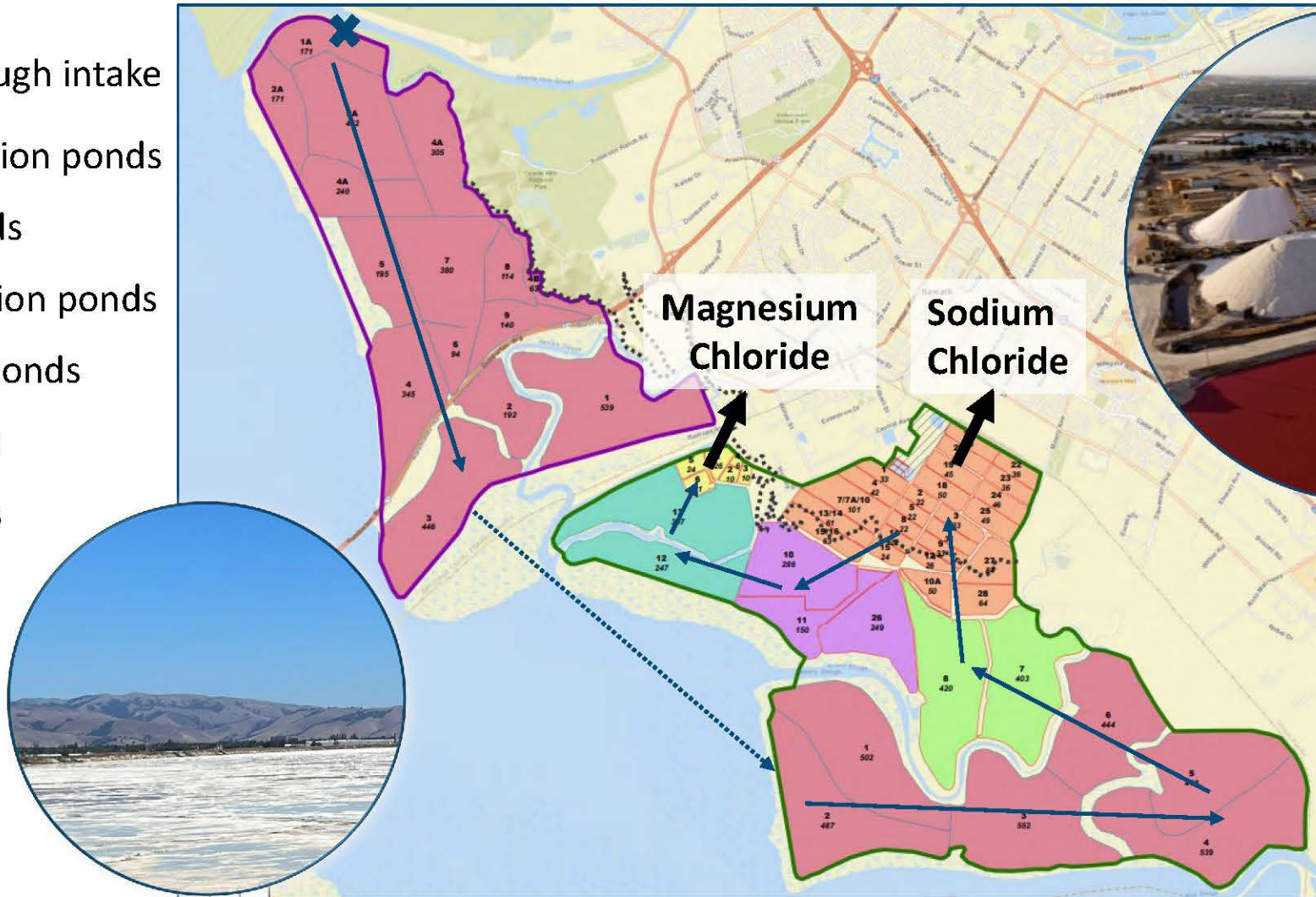
From Hayward Shoreline Adaptation Master Plan, 2021

PROJECT LOCATION



Solar Salt Production Process

- ✕ Coyote Slough intake
- Concentration ponds
- Pickle ponds
- Crystallization ponds
- Desalting ponds
- MSS ponds
- FMC ponds



**“SALT PRODUCTION IS AN
ECONOMICALLY IMPORTANT
AND PRODUCTIVE USE OF
THE WATERS OF THE BAY
AND SALT IS AN
IMPORTANT PRODUCT.” –
BCDC SALT POND POLICY
FINDINGS**



CARGILL PROPERTY TRANSFERS

- Over the last 40 years, Cargill has conveyed more than 40,000 acres of Salt Ponds to public wildlife agencies.
- Today Cargill owns 4,100 acres in fee title and has operating rights on 8,000 acres within the Don Edwards Wildlife Refuge.

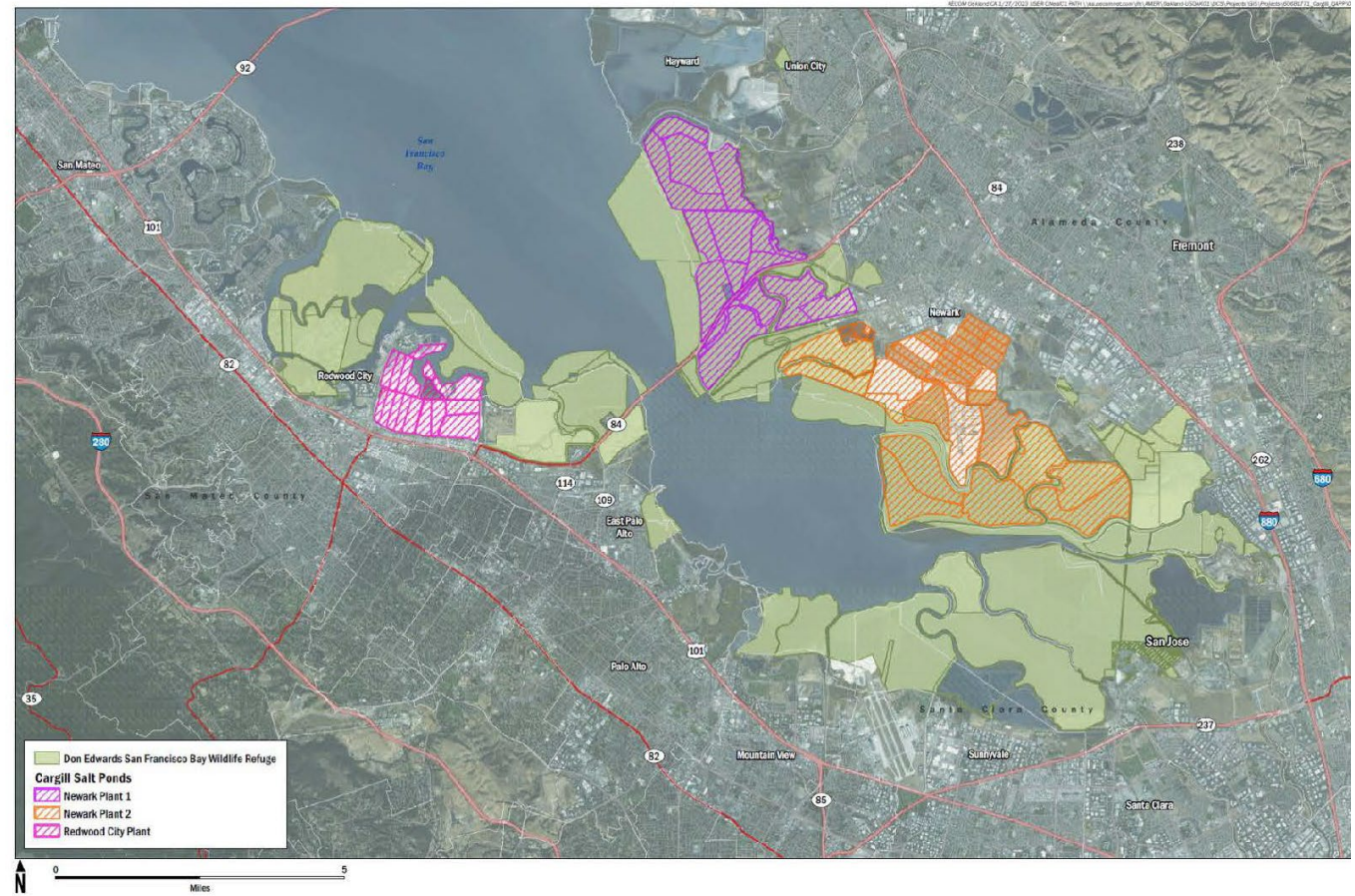


Figure 1. Sites Location Map

SALT POND MAINTENANCE ACTIVITIES



Source: Photograph by Cargill personnel (2021). See Figure 1 for photograph location (listed as Figures 3a–3d).

- Replacing and repairing riprap on berms
- Adding material to berms to counteract settlement, and improve drivability
- Maintaining and replacing infrastructure such as pumps, tide gates, and platforms
- Removing sediment at intakes
- Maintenance activities are performed following biological monitoring and in compliance with BMPs per wildlife agency conditions for listed species.

BCDC JURISDICTION



- BCDC has jurisdiction over salt ponds consisting of all areas which have been diked off from the Bay and have been used during the three years immediately preceding November 11, 1969 for the solar evaporation of Bay water in the course of salt production.
- Some facilities are in the Bay and some small areas are within the 100-foot shoreline band.

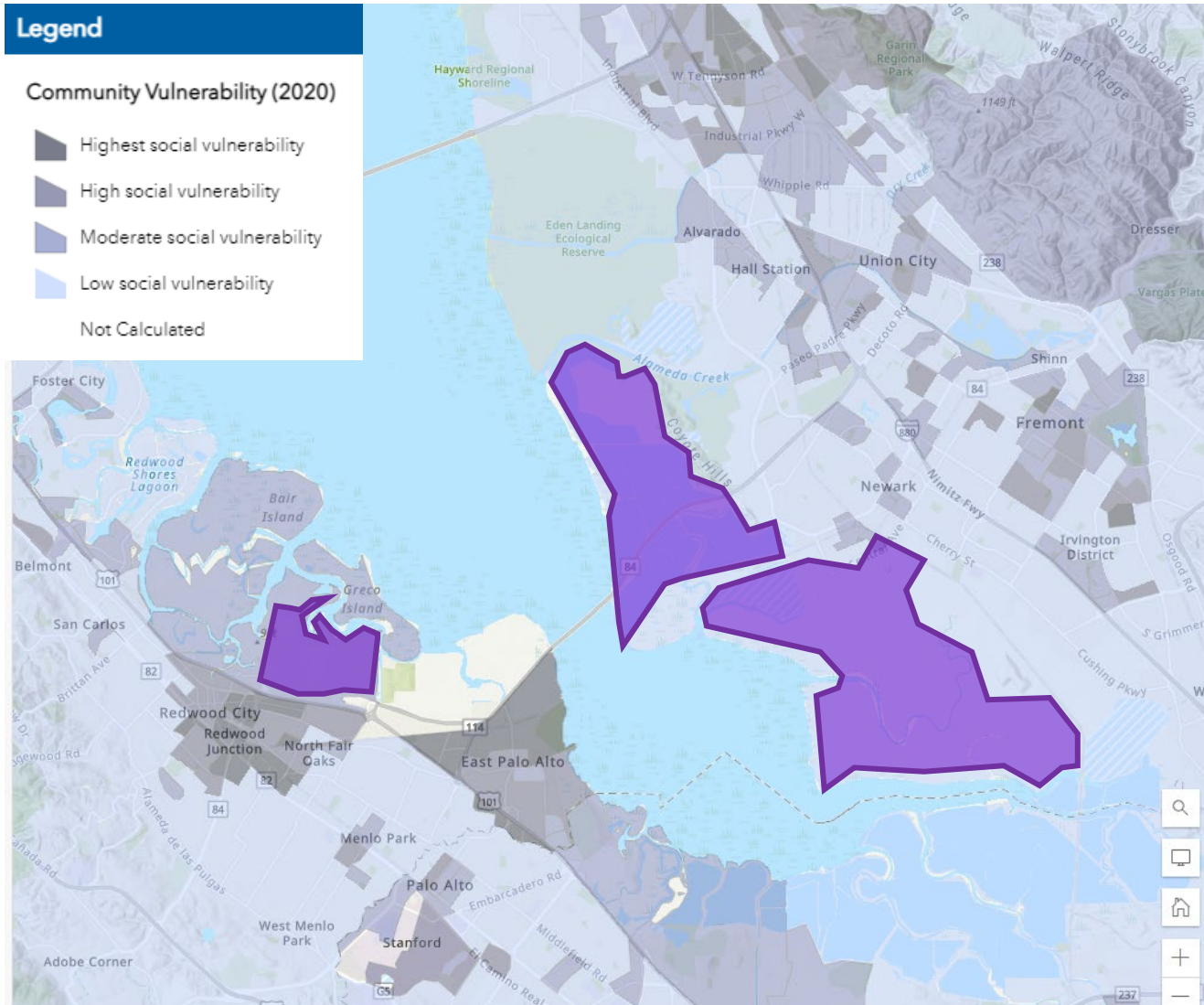
CARGILL OPERATION & MAINTENANCE (O&M) PERMIT



Photo from Cargill Maintenance Memo, 2021

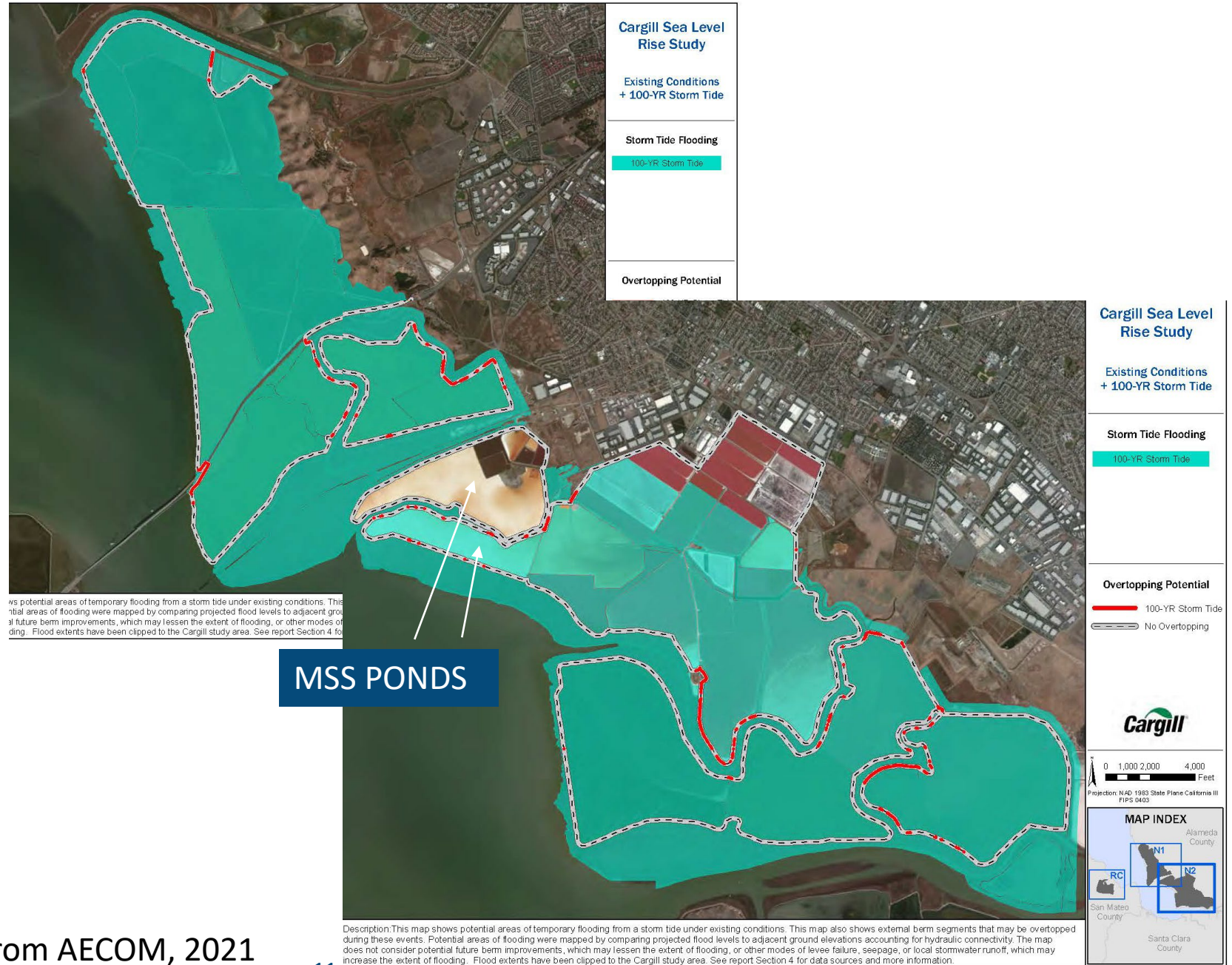
- Cargill's current permit was issued by BCDC in 1995 and has been extended numerous times.
- Cargill provides workplans annually for BCDC review in advance of the summer maintenance season.
- Cargill provides annual completion reports at the end of the yearly maintenance season, for BCDC review.
- Cargill has applied for a new 10-year permit.
- An ECRB meeting was held on November 16, 2022, focusing on the seismic stability risks and sea level rise resilience of the MSS berms. Cargill is performing studies to examine these issues and a follow-up ECRB meeting is planned.
- BCDC staff will tour the plant on June 7.

ENVIRONMENTAL JUSTICE (EJ)



- Outreach to adjacent communities will be a component of the permitting process, in compliance with Bay Plan Environmental Justice and Social Equity policies

CURRENT FLOODING MAPS FOR NEWARK PLANTS, 100-YEAR PROBABILITY STORM TIDE



Maps from AECOM, 2021

ADDITIONAL STUDIES OF RISK OF A RELEASE FROM THE MIXED SEA SALT (MSS) PONDS



- Government Code section 66605(d) and (e) require that further authorization for fill by the Commission minimize harmful effects of fill on human health and the environment and be constructed to protect against geologic and flood hazards.
- Cargill is performing additional studies on the MSS ponds for:
 - Berm seismic integrity
 - Shoreline erosion protection (riprap)
 - Potential flooding from extreme storms and sea level rise (berm height)
 - Ecological and human health risks
 - Emergency response planning

OTHER KEY ENVIRONMENTAL ISSUES OF THE O&M PERMIT APPLICATION



- Bay water pump intakes on Alameda Creek are anticipated to be fitted with fish screens to reduce impacts to endangered steelhead and Chinook salmon
- Environmental impacts of new riprap fill on the Bay-side of the outboard berms
- Avoiding and minimizing impacts to special status species present in the salt ponds

BCDC IS THE CEQA LEAD AGENCY FOR THIS PROJECT

- The project requires no local discretionary approvals.
- BCDC rarely acts as CEQA lead agency – last time it did so was for Cargill’s 1995 O&M permit.
- BCDC’s permitting program constitutes a CEQA-certified regulatory program.
- BCDC prepares an environmental assessment (EA).
- BCDC will comply with its CEQA regulations so that responsible agencies can rely on the EA for CEQA compliance.



Photo from Draft EIR for the Pipeline Project, 2023

SUMMARY OF THE EA PROCESS

- Preparation of the EA was initiated in 2020, a responsible agency scoping workshop was held, and a draft EA was publicly released in 2021.
- Comments were received from a local individual stakeholder, a non-profit organization, SLC, and SF-RWQCB.
- Outstanding resource concerns warranting project changes and clarification of the project scope resulted in pause of the EA.
- EA is now being prepared by GAIA Consultants.
- The EA has been drafted to provide more outreach and public process than required under our regulations.
- BCDC staff intends to recirculate an updated Draft EA for at least a 30-day comment period.
- The permit application and EA will be agendized for Commission action at least 30 days prior to the meeting, in early 2024.

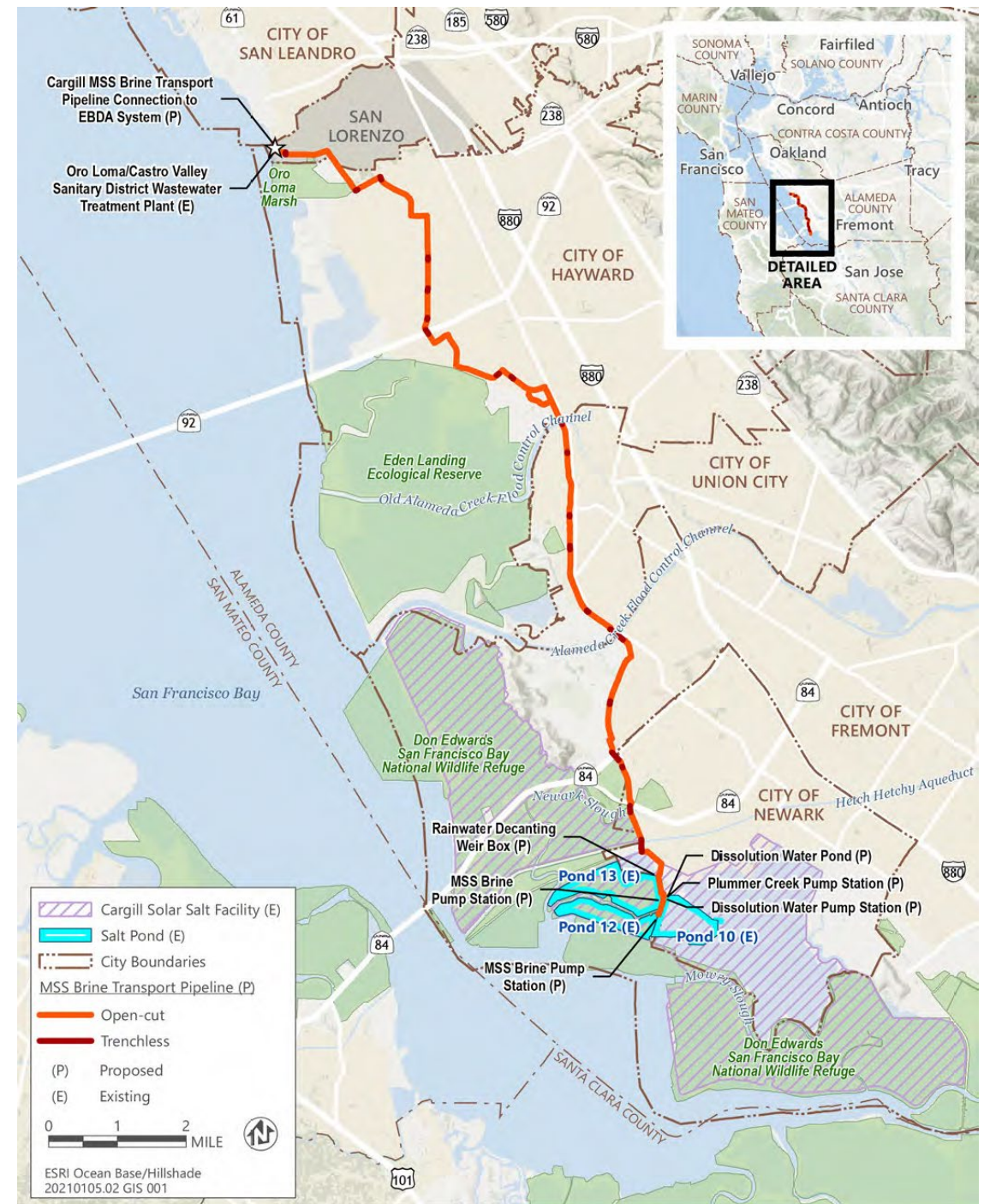
SCHEDULE FOR NEXT STEPS

The Estimated Schedule for Processing the Cargill O&M Permit:

- The Draft EA will be recirculated for public comment in Fall 2023
- The EA will be finalized to include responses to comments
- The Final EA and O&M permit will go before the Commission in early 2024

PROPOSED PROJECT FOR MSS RISK REDUCTION

- Will reduce the volume of MSS stored onsite via enhanced harvesting and Bay discharge
- Draft EIR circulated Jan. 2023
- BCDC provided comments
- Final EIR in preparation
- Construction anticipated beginning outside BCDC jurisdiction this summer



DISCUSSION/ QUESTIONS



Image from Google Maps