

ARARs Matrix - Mill Pond (Pond 8)

Former Georgia-Pacific Mill Site, Fort Bragg, California

Agency: _____

Department of Toxic Substances Control (DSTC)					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Agency	Remedial Action Objective	OU-E FS Section 3.2	Prevent the ingestion of and incidental contact with chemicals of concern in sediments that exceed Remedial Goals established in the RAP by future users of the former Mill Site.		Action
Agency	Chemical-Specific Remedial Goals	OU-E FS Section 3.2 and Table 3-2	Media-specific, site-specific remedial goals used to evaluate remedial action effectiveness following implementation and based on foreseeable future land use.		Chemical
Agency	Site Investigation and Remediation Order	Docket No. HSA-RAO 06-07-151	5.1 All response actions taken shall be consistent with the requirements of Chapter 6.8 (starting with section 25300), Division 20 of the HSC and any other applicable state or federal statutes and regulations, including but not limited to existing permits. 5.1.1. An overall Site investigation and remediation strategy shall be developed by Respondent in conjunction with DTSC that reflects program goals, objectives, and requirements. Current site information (memorialized in the Current Condition Report, further detailed in Section 5.2) regarding contamination sources, exposure pathways, and receptors shall be used in developing this strategy. 5.1.2 Remedial Action Objectives: (a) Protect existing and potential beneficial uses of groundwater.		Action
Agency	Site Investigation and Remediation Order	Docket No. HSA-RAO 06-07-153	5.1.3 Fence and Posting Warning Signs 5.1.4 Groundwater, Surface Water, and Storm Water Monitoring 5.1.5 Air Monitoring		Action
Agency	Site Investigation and Remediation Order	Docket No. HSA-RAO 06-07-154	5.2 Current Site Conditions 5.3 Field Sampling 5.4 Remedial Investigation Report 5.5 Interim Removal Actions 5.6 Baseline Health and Ecological Risk Assessment		Action

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Agency	Site Investigation and Remediation Order	Docket No. HSA-RAO 06-07-155	5.7 Feasibility Study Report. Summarize documentation of treatability studies conducted, OU specific RAOs, screening of general response actions and remedial technologies, evaluation of alternatives.		Action
Agency	Site Investigation and Remediation Order	Docket No. HSA-RAO 06-07-156	5.8 Treatability Studies 5.9 California Environmental Quality Act 5.10 Removal Action Workplan (RAW). If determined to be appropriate by DTSC. 5.11 Remedial Action Plan (RAP). Consistent with the NCP and HSC section 25356.1 5.12 Remedial Design Implementation Plans.		Action
Agency	Site Investigation and Remediation Order	Docket No. HSA-RAO 06-07-157	5.13 Public Participation Plan (Community Relations). 5.14 Land Use Covenant. 5.15 Implementation of Final RAP or Final RAW. 5.16 Operation and Maintenance Plan. 5.17 Five-Year Review. 5.18 Changes during Implementation of the Final RAP 5.19 Stop Work Order 5.20 Emergency Response Action/Notification 5.21 Discontinuation of Remedial Technology 5.22 Financial Assurance		Action
Federal/ Agency	Overall Protection of Human Health and the Environment	Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA; USEPA 1988; Chapter 6, Section 6.2.3.1	Evaluation of whether a specific alternative achieves adequate protection how site risks posed through each pathway are eliminated, reduced, or controlled through treatment, engineering, or institutional controls. Consideration of whether an alternative poses any unacceptable short-term or cross-media impacts and draws upon assessments from other evaluation criteria, including long-term effectiveness and permanence, short-term effectiveness, and compliance with ARARs.		Chemical/Action
Federal/ Agency	Compliance with ARARs	Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA; USEPA 1988; Chapter 6, Section 6.2.3.2	Comply with ARARs under federal environmental laws and state environmental or facility siting laws, or whether there are grounds for a waiver.		Chemical/Action
Federal/ Agency	Long-Term Effectiveness and Permanence	Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA; USEPA 1988; Chapter 6, Section 6.2.3.3	Evaluation of the results of a remedial action in terms of the risk remaining at the site after response objectives have been met. Considers the ability of a remedial alternative to perform intended functions such as containment, diversion, removal, destruction, or treatment, and the permanence of the remedy. Evaluates the magnitude of residual risk remaining from untreated waste or treatment residuals at the conclusion or remedial activities and assesses the adequacy and suitability of controls, if any.		Chemical/Action

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Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Federal/ Agency	Reduction of Toxicity, Mobility, or Volume through Treatment	Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA; USEPA 1988; Chapter 6, Section 6.2.3.4	The degree to which a remedial alternative employs recycling or treatment options that reduce toxicity, mobility, or volume, including how treatment is used to address principal threats potentially posed by the site. Considers treatment process and volume of materials to be treated; ability of treatment to reduce the toxicity, mobility, or volume of contamination; nature and quantity of residuals remaining after treatment; relative amount of hazardous substances/constituents that would be destroyed, treated, or recycled; the degree to which the treatment is irreversible; the type and quantity of treatment residuals.		Chemical/Action
Federal/ Agency	Short-Term Effectiveness	Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA; USEPA 1988; Chapter 6, Section 6.2.3.5	Consider short-term risk that may be posed to the public and the potential impacts on workers during remedial action construction and implementation. Evaluate factors including protection of workers and the community during remedial action, the potential for environmental impacts that may result from implementation, and the amount of time until remedial response objectives are achieved.		Chemical/Action
Federal/ Agency	Implementability	Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA; USEPA 1988; Chapter 6, Section 6.2.3.6	The technical and administrative feasibility of implementing the remedial alternative, including the availability of various services and materials required for implementation. Considers constructability, duration of work, reliability of the technology, ease of operation, availability of services and materials, and ability to monitor effectiveness.		Chemical/Action
Federal/ Agency	Cost	Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA; USEPA 1988; Chapter 6, Section 6.2.3.7	Comparison of direct and indirect capital costs, annual O&M costs, and potential future remedial actions.		Action
Federal/ Agency	State Acceptance	Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA; USEPA 1988; Chapter 6, Section 6.2.3.8	Evaluation of the technical and administrative issues and concerns the state or supporting agency may have regarding each alternative.		Action
Federal/ Agency	Community Acceptance	Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA; USEPA 1988; Chapter 6, Section 6.2.3.9	Evaluation of the issues and concerns the public may have regarding each of the alternatives.		Action
Agency	California Department of Toxic Substances Control Screening Levels	Department of Toxic Substances Control, Human Health Risk Assessment Note 3, DTSC-modified Screening Levels, April 2019	Modified screening levels based on the USEPA Regional Screening Levels (RSLs) for use in the human health risk assessment process at hazardous waste sites and permitted facilities		Chemical
Agency	Guidance for Ecological Risk Assessment at Hazardous Waste Sites and Permitted Facilities	DTSC, 1996	Guidance to assess the environmental risk at a site before, during, and/or after site actions. Framework and conceptual model to estimate the nature and extent of adverse impacts on biota and estimate concentrations of chemicals that do not adversely impact the biota.		TBC
Agency	Preliminary Endangerment Assessment Guidance Manual	DTSC 1994, Revised 2015	Guidance on basic information needed to determine if a release of hazardous substances presents a risk to human health of the environment.		Chemical

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Department of Toxic Substances Control (DSTC)					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Agency	Human Health Risk Assessment Notes 1, 2, 3	DTSC 2019, 2017, 2020	<p>Note 1 summarizes exposure factors which may be used as default vaults in the human health risk assessments.</p> <p>Note 2 presents suggested Dioxin-TEQ soil remediation goals for consideration at mitigation sites in California for the protection of human health.</p> <p>Note 3 presents recommended screening levels for constituents in soil, tap water, and ambient air.</p>		Chemical
State/Local	California Hazardous Substances Account Act	HSC 78000-25395.15	Establishes a program to provide for response authority for releases of hazardous substances that pose a threat to public health or the environment.		Action
State/Local	California Hazardous Waste Control	HSC 25100-25250.26	Defines hazardous waste characteristics and establishes hazardous waste control measures		Action
State/Local	Remedial Action Plan Policy	EO-95-007-PP	Guidance and framework to develop a remedial action plan		TBC
State/Local	Stockpiling Requirements of Contaminated Soil	HSC 25123.3(a)(20)	Establishes standards for stockpiling of non-RCRA contaminated soil		Location/ Action
State/Local	Title 22, California Hazardous Waste Control Act of 1972	22 CCR 66260.1 et seq.	Establishes criteria for determining waste classification for the purposes of transportation and disposal of wastes		Chemical/ Action
State/Local	Title 22, California Hazardous Waste Control Act of 1973	22 CCR 66262.1 et seq.	Establishes standards applicable to generators of hazardous waste		Action
State/Local	Title 22, California Hazardous Waste Control Act of 1974	22 CCR Chapter 18	Identifies hazardous waste restricted from land disposal unless specific treatment standards are met		Chemical/ Action
Federal	Resource Conservation and Recovery Act (RCRA)	42 USC 6901 et. seq. 40 CFR 261	Establishes criteria to determine whether solid waste exhibits characteristics that makes it a regulated hazardous waste		Chemical/ Action
Federal	Resource Conservation and Recovery Act (RCRA)	42 USC 6901 et. seq. 40 CFR 263	Standards applicable to transporters of hazardous waste		Chemical/ Action
Federal	Risk Assessment Guidance for Superfund; Ecological Risk Assessment Guidance for Superfund; Ecological Soil Screening Levels	USEPA, 1989, 1997, 2010	Guidance and framework to assess human and ecological risks		TBC
Federal	Regional Screening Levels	USEPA Region 9, 2015	Risk-based concentrations that are intended to assist risk assessors and others in initial screening-level evaluations of environmental measurements		TBC
Federal	Resource Conservation and Recovery Act (RCRA)	42 USC 6901 et. seq. 40 CFR 258, 261, 263	Establishes criteria for generation, management, and disposal of non-hazardous solid waste.		Chemical/ Action

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Agency:

Coastal Commission					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Agency	California Coastal Act	Public Resources Code Division 20	Establishes permitting requirements and conditions for any "development" which remedial activities qualify as.		Location/Action
Agency	California Coastal Act	Chapter 2, Definitions, Section 30108: Feasibility	Defines feasible as: capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.		TBC
Agency	California Coastal Act	Article 2, Public Access Section 30212(b)(4): New development projects	Public access from the nearest public road to the shoreline shall be provided in new development projects, unless inconsistent with public safety, fragile coastal resources, or adequate access exists nearby, etc. The policy states "new development" does not include reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.		Location
Agency	California Coastal Act	Article 4, Marine Environment, Section 30233(a): Diking, filling or dredging continued movement of sediment and nutrients	The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. Such development shall be limited as stated in that section and includes new or expanded port, energy, and coastal-dependent industrial activities, boating facilities and public piers that provide public access and recreational activities, incidental public service purposes, restoration purposes, and nature study, aquaculture, or similar resource dependent activities.		Location
Agency	California Coastal Act	Article 4, Marine Environment, Section 30235: Construction altering natural shoreline	Revetments, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.		Location
Agency	California Coastal Act	Article 4, Marine Environment, Section 30236: Water supply and flood control	Channelizations, dams or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development.		Location
Agency	California Coastal Act	Article 4, Marine Environment, Section 30253(b): Minimization of adverse impacts	New development shall assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability... or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.		Location
Agency	California Coastal Act	Article 8, Sea Level Rise, Section 30270: Sea level rise	The commission shall take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and to the extent feasible, avoid and mitigate the adverse effects of sea level rise		Location

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Coastal Commission					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Agency	Sea Level Rise Policy Guidance Draft 2024 Update	Chapter 6. Addressing Sea Level Rise in Coastal Development Permits	Provides general guidance for addressing SLR in the project design and permitting process, including establishing SLR range for project, determining how SLR may impact project site, determining how project may impact coastal resources over time with SLR, identifying alternatives to both avoid coastal resource and project impacts.		TBC

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Agency:

Division of Safety of Dams (DSOD)					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
State	California Water Code	Division 3. Dams and Reservoirs, Part 1., Ch. 1, [6002]	Definition of jurisdictional dam: An artificial barrier that impounds water and is either (a) 25 feet or more in height measured vertically from the downstream toe to the maximum possible water storage elevation (typically the spillway crest) or (b) has impound capacity of 50 acre-ft or more.		Location
State	California Water Code	Division 3. Dams and Reservoirs, Part 1., Ch. 1, [6003]	A dam is not considered jurisdictional if it: (a) is 6 feet or less in height or (b) has a storage capacity of 15 ac-ft or less.		Location
State	California Water Code	Division 3. Dams and Reservoirs, Part 1., Ch. 4, Article 1, [6075]	Gives broad powers to the Department of Water Resources (via DSOD) to supervise dam matters as they pertain to the protection of life and property.		Action
State	California Water Code	Division 3. Dams and Reservoirs, Part 1., Ch. 4, Article 1, [6081]	If DSOD identifies any condition that might endanger a dam or reservoir, it is required to order the owner to take action to remove the danger to life and property (by whatever means DSOD deems necessary).		Action
State	California Water Code	Division 3. Dams and Reservoirs, Part 1., Ch. 5, Article 2 [6225]	DSOD requires any repair, alteration, or removal of a dam or reservoir under their jurisdiction to be approved by them in writing.		Action
Federal	Federal Guidelines for Inundation Mapping of Flood Risks Associated with Dam Incidents and Failures, July 2013	Pg. 946	DSOD adopts FEMA's definitions for downstream hazard potential for dam facilities. "Low" hazard potential is defined as "No probable loss of human life and low economic and environmental losses. Losses are expected to be principally limited to the owner's property."		Action
State	Dams Within Jurisdiction of the State of California, Sept 2023	Dam No. 2381-0, Nat ID CA01139 - Mill Pond Dam	DSOD lists Mill Pond Dam as jurisdictional with a height of 33 feet and a reservoir capacity of 72 ac-ft. Downstream hazard is considered "low".		Location
State	DSOD Inspection and Reevaluation Protocols, September 28, 2018	Ch. 4, Section B - Seismic Hazard Assessment	Sets minimum earthquake shaking levels for evaluation/design based on the hazard class of the dam and the activity of the nearby faults. For Mill Pond Dam, the San Andreas fault controls with a magnitude 8 earthquake event with a PGA of 0.52g (established in 2017 for the 60% design).		Location

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Division of Safety of Dams (DSOD)					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
State	DSOD Inspection and Reevaluation Protocols, September 28, 2018	Ch. 5, Section D - Freeboard	Freeboard is the vertical distance from the lowest point along the dam crest to the reservoir elevation. This is to allow for some flood capacity and deformation potential from earthquake loads. Typical minimum freeboard required is 3 feet for offstream reservoirs, but DSOD may require more freeboard is necessary given known hazards or deficiencies of the facility.		Action
State	DSOD Inspection and Reevaluation Protocols, September 28, 2018	Ch. 6, Section A - Spillways	Spillways must be capable of safely passing the design storm flow. For dams with a "low" downstream hazard classifications (such as Mill Pond Dam), the design storm is typically consistent with a 1,000-year return period. The design storm considers watershed characteristics and rainfall probability estimates developed for the reservoir and upstream area. Spillways must also meet safety requirements relating to cavitation potential, overtopping of side walls, stagnation pressures, and erosion potential of foundations of terminal structures.		Action
State	DSOD Inspection and Reevaluation Protocols, September 28, 2018	Ch. 6, Section B - Outlet Works	For dams that are required to have a low-level outlet and impound less than 5,000 acre feet, the low-level out must be capable of draining half of the reservoir capacity in 7 or 10 days, and full contents within 20 or 30 days. DSOD determines whether a low level outlet is required for emergency purposes, and which drawdown capacity metrics are required to be met. Mill Pond Dam does not currently have a low level outlet.		Action
State	DSOD Inspection and Reevaluation Protocols, September 28, 2018	Ch. 8, Section A - Reevaluation Process	Earth dams must be evaluated for liquefaction potential, which can affect how they perform in an earthquake. Mill Pond Dam has a known liquefaction issue that has the potential to cause large crest deformations (lateral movement and settlement). DSOD requires the deformation potential to be mitigated so that the probability of overtopping the dam during the design earthquake event is significantly reduced.		Action

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Agency:

City of Fort Bragg (City)					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
State / Local	California Environmental Quality Act	Article 9, Contents of Environmental Impact Reports, Section 15126.6, Consideration and Discussion of Alternatives to the Proposed Project	An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.		Location
Local	City of Fort Bragg Grading Permit Requirements and Procedures	Title 18, Chapter 18.60 et. seq.	Establishes requirements for excavation and grading		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	Open Space Element (OS)	Includes several policies addressing development in Environmental Sensitive Habitat Areas (ESHA), rivers, streams, riparian habitat, public access, water quality. Policies listed below.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	OS-1.3: Development in ESHA Wetlands	Diking, Filling, and Dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted where there is no less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. Projects would have to provide improved habitat values and increase wetland acreage.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	OS-1.5: Development in Rivers and Streams with ESHA	Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible and be limited to flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	OS-1.6: Development within Other Types of ESHA	Shall protect ESHA against any significant disruption of habitat values and shall be limited to restoration projects where the primary purpose is restoration of the habitat. This policy is for upland ESHA and application depends on results of a botanical report for the proposed area (e.g. are there upland rare plants in the project area?). There is a known ESHA on the Beach Berm. Pursuant to Policy OS-1.6(b) Development within ESHA may be permitted for restoration projects where the primary purpose is restoration of the habitat.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	OS-1.7: Development in areas adjacent to ESHAs	Development in areas adjacent to ESHAs shall be sited and designed to prevent impacts which would significantly degrade such areas and shall be compatible with the continuance of such habitat areas.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	OS-1.10: Permitted Uses within ESHA Buffers	Development within an ESHA buffer shall be limited to uses allowed within the adjacent Wetland ESHA (OS-1.3); those allowed within a riparian and other types of ESHA buffer are generally limited to drainage and flood control facilities.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	OS-1.14: Vegetation Removal in ESHA	Prohibit vegetation removal in ESHAs and buffer areas except for vegetation removal authorized through coastal development permit approval to accommodate permissible development and vegetation removal for public safety purposes to abate nuisance consistent with Coastal Act Section 30005. Projects that involve vegetation removal would only be permissible if the project as a whole complies with OS-1.3.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	OS-2.1: Riparian Habitat	Prevent development from destroying riparian habitat to the maximum feasible extent. Preserve, enhance, and restore existing riparian habitat in new development unless the preservation will prevent the establishment of all permitted uses on the property. Projects that require the temporary destruction of riparian habitat when there are project alternatives that do not require habitat destruction would not comply with the "maximum extent feasible".		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	OS-9.5: Maintain and Restore Biological Productivity and Water Quality	The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.		Location/ Action

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City of Fort Bragg (City)					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Local	City of Fort Bragg, Coastal General Plan Policy	OS-16.2: Right of Public Access	Development in the Coastal Zone shall not interfere with the public's right to access to the sea where acquired through use or legislative authorization. The project would have to provide safe access by the public to a portion of the beach.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	OS-16.17: Coastal Trails	Develop a continuous trail system throughout the City which connects to the California Coastal Trail system.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	OS-16.18: General Standards	Require that all public access easements offered for dedication to public use be a minimum of 25 feet wide.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	Safety Element (SF)	Includes several policies addressing safe development within coastal zone, including along bluff and beaches. Policies listed below.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	SF-1.1: Minimize Hazards	New development shall (a) minimize risks to life and property in areas of high geologic, flood, and fire hazard; and (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	SF-1.2: Ocean-front and Blufftop Development	All ocean-front and blufftop development shall be sized, sited and designed to minimize risk from wave run-up, flooding, and beach and bluff erosion hazards, and avoid the need for a shoreline protective structure at any time during the life of the development. Removal of beach berm could result in wave run up and significant amounts of coastal erosion. Beach berm may have to be replaced to protect the lowland area from erosion.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	SF-1.5: New Blufftop Development and Shoreline Protective Devices	Siting and design shall take into account anticipated future changes in sea level. In particular, an acceleration of the historic rate of sea level rise shall be considered. Development shall be set back a sufficient distance landward and elevated to a sufficient foundation height to eliminate or minimize to the maximum extent feasible hazards associated with anticipated sea level rise over the expected 100-year economic life of the structure.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	SF-1.7: Alterations to Landforms	Minimize, to the maximum feasible extent, alterations to cliffs, bluff tops, faces or bases, and other natural land forms in the Coastal Zone.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	SF-1.9: Bluff Face and Bluff Retreat Setback	Prohibit development on the bluff face and within the bluff retreat setback except that the following uses may be allowed with a conditional use permit:...(3) habitat restoration; (4) hazardous materials remediation.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	SF-1.10: Seawalls, Breakwaters and Other Shoreline Structures	Prohibit construction of seawalls, breakwaters, revetments, groins, harbor channels, retaining walls, and other structures altering the natural shoreline processes unless a finding is made that such structures are required: (1) to serve coastal-dependent uses; or (2) to protect public beaches in danger from erosion; or (3) to protect existing structures that were legally constructed prior to the effective date of the Coastal Act; or (4) that were legally permitted prior to the effective date of this Coastal General Plan provided that the CDP did not contain a waiver of the right to a future shoreline or bluff protection structure; or (5) for a development consistent with Section 30233(a) of the Coastal Act and only when it can be demonstrated that said existing structures are at risk from identified hazards if no feasible or less environmentally damaging alternative is available and the structure has been designed to eliminate or mitigate adverse environmental impacts, including impacts upon local shoreline sand supply.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	SF-2.1: Seismic Hazards	Reduce the risk of loss of life, personal injury, and damage to property resulting from seismic hazards.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	SF-2.4: Tsunami	Minimize development in area subject to tsunamis.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	SF-2.5	Review development proposals to ensure that new development is not in an area subject to tsunami damage and if such development is otherwise allowable that it is designed to withstand tsunami damage.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	Community Design Element (CD)	Includes several policies addressing design issues like views, scenic areas, alteration of landforms. Policies listed below.		Location
Local	City of Fort Bragg, Coastal General Plan Policy	CD-1.1	Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.		Location/ Action

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Local	City of Fort Bragg, Coastal General Plan Policy	CD-1.3	Visual Analysis required.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	CD-1.4	New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	CD-1.5: Seawalls, Breakwaters and Other Shoreline Structures	All new development shall be sited and designed to minimize alteration of natural landforms by: conforming to natural topography... preventing substantial grading or reconfiguration... mimicking natural contours... blending with existing and surrounding terrain.... minimizing height and length of cut and fill slopes.		Location/ Action
Local	City of Fort Bragg, Coastal General Plan Policy	LCP Element 10: Glossary	Defines the life of a project as 100 years. This policy is intended to guide the analysis of effects over time, i.e. any impacts analysis should look at a 100 year time frame.		Location
Local	City of Fort Bragg, Coastal General Plan Policy	Chapter 17.54 Hazards and Shoreline Bluff Development Section 17.58.054(a)- Limitations on Development	Prohibition on development needing shore protection. Proposed development shall not be approved where the review authority determines that shoreline protective structures will be necessary to protect the new structures at the time of development, or within 100 years of development.		TBC
Local	City of Fort Bragg, Coastal General Plan Policy	Chapter 17.58 Wetland Protection and Restoration Section 17.58.040(a)(b)- Wetland Mitigation Requirements(a)(b)	Permissible diking, filling, or dredging within wetlands shall maintain or enhance the functional capacity of the resource area. Any development including diking, filling, or dredging shall include mitigation for wetland impacts. Sets off-site mitigation ratios in excess of a 1:1 replacement, may be 4:1 or higher.		Location
Local	City of Fort Bragg, Coastal General Plan Policy	Chapter 17.100, Definitions	Feasible: Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors		Location

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Agency:

Sherwood Valley Band of Pomo Indians (SVBP)					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Local	National Archaeological and Historical Preservation Action	16 USC 469 36 CFR 65	Provides requirements if significant scientific/cultural/historical artifacts are found	Check if local or state or federal	TBC
Local	Native American Consultation and Cultural Protection	California Public Resources Code Section 21080.3.1	Requires that lead agency consult with Native American tribe that is traditionally and culturally affiliated with the geographical area prior to release of negative declaration or environmental impact report for a project.		Location
Local	2014 Memorandum of Understanding between City of Fort Bragg and SVBP	City of Fort Bragg City Council Agenda Item Summary for 27 May 2014 Meeting	Allows SVBP to comment on development projects in a manner similar to other public agencies with an emphasis on cultural resources concerns. Specifically, the MOU defines: 1) preferred archaeological procedures; 2) agreed upon cultural resource discovery, treatment, and mitigation strategies; and 3) the facilitation of SVBP access to sacred and natural resource collection sites. The MOU was set to expire in 2017 unless renewed; it is unclear if the MOU has been renewed.		TBC

ARARs Matrix - Mill Pond (Pond 8)

Former Georgia-Pacific Mill Site, Fort Bragg, California

Agency:

Fish and Wildlife					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Agency	Relevant Policies for the Protection and Conservation of Fish and Wildlife	California Fish and Game Code Section 2014	Requires conservation of natural resources and prevention of the willful or negligent destruction of birds, mammals, fish, reptiles, or amphibia.		Location/ Action
Agency	Relevant Policies for the Protection and Conservation of Fish and Wildlife	California Fish and Game Code Section 1600/1602	Section 1600 prohibits the substantial diversion or obstruction of the natural floor of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream or lake, or disposing of debris, waste or other material where it may pass into any river, stream, or lake, unless the department has received written notification of the activity and the department informs the entity, in writing, that the activity will not substantially adversely affect an existing fish or wildlife resource.		Location/ Action
Agency	Requirements for Substances Deleterious to Fish and Wildlife	California Fish and Game Code Section 5650	Makes it unlawful to deposit into, permit to pass into, or place where it can pass into the waters of the state certain specified pollutants.		Chemical/ Action

ARARs Matrix - Mill Pond (Pond 8)

Former Georgia-Pacific Mill Site, Fort Bragg, California

Agency:

State Water Resource Control Board (SWRCB) / North Coast Regional Water Quality Control Board (NCRWQCB)					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
State	Clean Water Act	33 USCA 1251-1376 40 CFR 100-149	Regulations requiring development and implementation of a storm water pollution prevention plan		Action
State	Porter-Cologne Water Quality Control Act	California Water Code, Section 13000	Establishes policy for preservation and enhancement of the beneficial uses of the waters of the state		Chemical
State	State Water Resources Control Board (SWRCB) Resolution No. 68-16	SWRCB, 1968	Establishes policy for the regulation of discharges to waters of the state.		TBC
State	SWRCB Resolution No. 92-49	SWRCB, 1996 California Water Code Section 13304	Establishes policies and procedures for investigation and cleanup and abatement of discharges.		TBC
State	Title 27, Division 2 of the California Code of Regulations	27 CCR 20005 et seq.	Section 20200(a)(2) notes that discharges of wastes identified in 20210 or 20200 "shall be permitted only at [waste management] Units which have been approved and classified by the RWQCB in accordance with the criteria established in Article 3 of this subchapter, and for which [waste discharge requirements] WDRs have been prescribed or waived...". Per the North Coast RWQCB letter dated 23 July 2008 in regards to encapsulation of soil laden with dioxins for underground permanent storage, designated waste or nonhazardous solid waste can only be discharged to waste management units that have been approved and classified by the regional water board, and for which waste discharge requirements have been issued or waived.		Chemical/ Action
State	Water Quality Control Plan for the North Coast Region	Basin Plan, June 2018	The North Coast Basin Plan is designed to provide a definitive program of actions to preserve and enhance water quality and protect beneficial uses of all regional waters.		Action/ Chemical/ Location
State	Water Quality Control Plan for Ocean Waters of California (California Ocean Plan), 2012, Effective August 19, 2013	State Water Resources Control Board Resolutions Nos. 2012-0056; 2012-0057	Addresses degradation of marine communities or other exceedances of water quality objectives due to waste discharges.		Action/ Chemical/ Location
State	Clean Water Act	Clean Water Act Section 401	Any activity that may result in any discharge into Waters of the United States may only be permitted with a Water Quality Certification from the RWQCB.		Location

ARARs Matrix - Mill Pond (Pond 8)

Former Georgia-Pacific Mill Site, Fort Bragg, California

Agency:

U.S. Army Corps of Engineers					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Federal	Clean Water Act	Clean Water Act Section 404	The permanent placement of dredge or fill material in Waters of the United States including wetlands may only be permitted with the authorization from the USACE.		Location
Federal	Nationwide Permit	General Condition 9. Management of Water Flows.	To the maximum extent practicable, the preconstruction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the preconstruction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).		Action
Federal	Nationwide Permit	General Condition 24. Safety of Impoundment Structures.	To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.		Action
Federal	Clean Water Act	Section 404(b)(3) Least Environmentally Damaging Practicable Alternatives Analysis	As part of the USACE's environmental review, the USACE is required to analyze alternatives to the proposed project that achieve its purpose. USACE must evaluate alternatives that are practicable (which may include financial considerations unlike CEQA) and reasonable. A permit cannot be issued if a practicable alternative exists that would have less adverse impact on the aquatic ecosystem, provided the LEDPA does not have other significant adverse environmental consequences to other natural ecosystem components.		Location

ARARs Matrix - Mill Pond (Pond 8)

Former Georgia-Pacific Mill Site, Fort Bragg, California

Agency:

Other ARARs					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
State	Ocean Protection Council, California Sea Level Rise Policy Guidance - 2024 Science & Policy Update	Section 4.2 Stepwise Process to Apply Sea Level Scenarios in Planning and Projects	Outlines recommended approach to incorporating consideration for sea-level rise in project design, including data collection, establishing project timeline/life, selecting multiple sea-level scenarios, evaluating asset vulnerability, exploring adaptation options/feasibility, selecting adaptation strategy.		TBC
State	Ocean Protection Council, California Sea Level Rise Policy Guidance - 2024 Science & Policy Update	Ocean Protection Council sea level rise guidance, Section 4.3 general recommendations for sea level rise planning and adaptation	Implement natural solutions for shoreline protection. Strategies to protect shoreline development from sea level rise impacts should prioritize the use of nature-based solutions where feasible or appropriate and minimize shoreline armoring and flood barriers where possible. Preserve public access, including beaches and coastal parks, while protecting natural resources.		TBC
Federal	Clean Air Act	42 USC 7401-7642	Emission standards from stationary and mobile sources		Chemical
Federal	National Archaeological and Historical Preservation Action	16 USC 469 36 CFR 65	Provides requirements if significant scientific/cultural/historical artifacts are found		TBC
Federal	Occupational Health and Safety	29 CFR 1910.120	Establishes requirements for health and safety training		Action
State/ Local	Ambient Air Quality Standards	HSC 39000-44071 MCAQMD Regulations 1-5	Establishes standards for emissions of chemical vapors and dust		Chemical
State/ Local	California Environmental Quality Act	PRC Division 13	Mandates environmental impact review of projects approved by governmental agencies		Action
State/ Local	Cover, grading, and alternative design requirements	27 CCR 21090(a)(1) through (3) and (b)(1)	Establishes criteria for cover and grading. Alternative cover designs are also acceptable.		Action
State/ Local	Discharges of Hazardous Waste to Land	Title 23, California Code of Regulations, Division 3, Chapter 15	Applies to discharge of waste		Action
State/ Local	Emission Standard	MCAQMD Regulation 1 Chapters 1, 2 and 4	Establishes emission standards and permitting requirements for equipment and dust		Action
State/ Local	Identification and listing of hazardous waste	HSC 25100 et. seq. 22 CCR 66261	Establishes criteria for characterization and classification of remediation waste.		Chemical/Action
State/ Local	Manifest System, Record-Keeping, Reporting and Transportation of Hazardous Waste	22 CCR Chapter 13	Governs transportation of hazardous materials		Action
State/ Local	Occupational Health and Safety	8 CCR GISO 5192	Establishes worker health and safety requirements		Action
State/ Local	Native American Consultation and Cultural Protection	California Public Resources Code Section 21080.3.1	Requires that lead agency consult with Native American tribe that is traditionally and culturally affiliated with the geographical area prior to release of negative declaration or environmental impact report for a project.		Location

Notes:

ARAR - Applicable or Relevant and Appropriate Requirements
CalEPA - California Environmental Protection Agency
CCR – California Code of Regulation
CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act
CFR – Code of Federal Regulation
DSOD - Division of Safety of Dams
DTSC - Department of Toxic Substances Control
ESHA - Environmentally Sensitive Habitat Area

FEMA - Federal Emergency Management Agency

FS - Feasibility Study
GISO - General Industry Safety Order
HSC - Health and Safety Code
LEDPA - Least Environmentally Damaging Practicable Alternative
MCAQMD – Mendocino County Air Quality Management District
NCP - National Oil and Hazardous Substances Contingency Plan
NCRWQCB - North Coast Regional Water Quality Control Board
OU - Operable Unit

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PGA - Peak Ground Acceleration
PRC - Public Resource Code
RAO - Remedial Action Objective

RAP - Remedial Action Plan
RCRA - Resource Conservation and Recovery Act
RSL - Regional Screening Level
RWQCB - Regional Water Quality Control Board

SLR - Sea Level Rise
SWRCB – State Water Resources Control Board
TBC - to be considered
TEQ - International Toxic Equivalents
USACE - United States Army Corp of Engineers
USC – United States Code
USCA – United States Code Annotated
USEPA - United States Environmental Protection Agency