



Navy Stops San Diego Area Beach Sand Replenishment

The Navy stopped beach replenishment operations at South Oceanside Beach, California, on November 18, 1997, after members of a Navy debris management team discovered four World War Two-era 20-mm rounds of live ammunition. The first load of dredge material was delivered for beach sand replenishment at approximately 5:30 p.m. on Monday, November 17, 1997.

The Navy erected a fence surrounding the beach sand construction zone and had its Debris Management Team on site. A Navy Explosive Ordnance Disposal unit later verified that the rounds were live. In the interest of public safety, the Navy halted beach replenishment operations while it pursues its options to safely place sand on the beaches.

On Thursday, November 20, 1997, the Navy decided to discontinue beach replenishment and dispose of the dredged material from San Diego Bay at sea.

Compiled from News Release, Public Affairs Office, Department of the Navy, Southwest Division, Naval Facilities Engineering Command, Tuesday, November 18, 1997, and other sources.

ALSO IN THIS ISSUE:

Navy Completing Characterization Of Vessel Discharges	2
Revised ESA Bill Gives DOD Some Insulation From Law	2
EPA'S Draft Nonpoint Source Pollution Management Strategy	4
VP Announces Initiatives To Mark Anniversary Of CWA	5
Navy Shipyard Environmental Compliance Program Completed.....	6
Coming Up Next Issue	7
About The <i>Marine Environmental Update</i>	8

See also: <http://environ.spawar.navy.mil/Programs/MESO/Newsltr/newsltr.html>

Navy Completing Characterization Of Vessel Discharges

The Navy is wrapping up its study of all discharges other than sewage from military vessels. These studies will help determine which discharges will, by regulation, require a marine pollution control device. This is a decision that must be made by the end of phase I of the rulemaking process—February 10, 1998. The Navy will meet with appropriate States through November to discuss its findings.

The characterization of discharges is the first part of Uniform National Discharge Standards being developed jointly by the Navy and the EPA. The standards are a clean water requirement included in the fiscal year 1996 defense authorization act. The rule will affect discharges such as graywater, bilge water and ballast water.

Discharge characterization is one of several factors that is being considered during Phase I of the rulemaking process. Other factors include examining existing domestic and international rules and regulations, conducting harbor modeling and performing cost-benefit studies.

Phase II will promulgate federal performance standards for marine pollution control devices by February 2000, and Phase III will issue regulations governing marine pollution control device design, construction, installation and use, by February 2001. The Navy is working with 21 States, the EPA and the other services in developing the standards.

Defense Environment Alert, Volume 5, Number 22, October 22, 1997.

Revised ESA Bill Gives DOD Insulation From Impositions Of Proposed Law

A revised Endangered Species Act (ESA) bill that recently began moving through the Senate contains language sought by the Department of Defense that would seek to avoid species recovery plans in conflict with military actions. Senate Bill 1180 (S. 1180) was introduced on September 16, 1997. The revised bill would also change consultations the DOD conducts with the U.S. Fish & Wildlife Service (FWS) over potential impacts to endangered species. The Senate Environment & Public Works Committee reported out S. 1180 on September 31, 1997; the bill has not yet been scheduled for a vote on the Senate floor. The legislation, while supported by the Interior Department and bipartisan co-sponsors, is opposed by those who favor a House bill (H.R. 2351) by Rep. George Miller (D-CA).

The Senate bill appears to place a greater reliance on federal lands in protecting species, but those actions will be balanced against a clause that to some degree insulates military activities. Military activities are one area to which the Interior secretary must give priority when developing recovery plans. The

language, found in section 3 of the bill, says, "To the maximum extent practicable, the Secretary, in developing recovery plans, shall give priority, without regard to taxonomic classification, to recovery plans that--...(4) reduce conflicts with military training and operations."

The Department of Defense and military services sought the language in July in a meeting with the Council on Environmental Quality, FWS and the National Marine Fisheries Service. The DOD believed that military operations should be considered as a factor in endangered species protection alongside economic factors. As a result, the parties agreed to language to consider the impacts of military operations.

The bill would also change the consultation process for the DOD. Opponents of the Senate bill are concerned about proposed changes to the FWS's response time to another federal agency's determination that its actions are not adversely affecting a species. If a federal agency, such as the DOD, undertakes an action that may affect a listed species, consultation with the FWS is required unless the federal agency notifies the FWS that the action is not adversely affecting the species. The FWS then, under the revised law, would have 60 days to respond and possibly require consultation. Under current law, there is no time limit in which the FWS must respond.

Under the proposed revisions, if the agency does not respond in time, then the action automatically is permitted. This might occur because of the overwhelming number of actions to which the FWS might have to respond and low funding levels under which the FWS might have to operate.

Another provision that would change consultations for the DOD and other federal agencies is one requiring any federal agency that is significantly impacting a listed species to enter into recovery implementation plans. The implementation plans would identify measures an agency must administer in order to promote the recovery of a species, according to an environmentalist. An additional clause would waive consultations for actions conducted by a federal agency under an implementation agreement, "provided that the agreement sets forth sufficient information on the nature, scope, and duration of the action," according to a Senate summary of the bill.

Overall, the Senate bill would focus on the recovery planning process under the ESA and provide private land owners with incentives to share their property with endangered species, according to the office of Sen. John Chafee (R-RI), a co-sponsor of the bill.

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EPA's Draft Nonpoint Source Pollution Management Strategy

In May 1996, the Environmental Protection Agency published a national Nonpoint Source Program and Grants Guidance which expressed the EPA's commitment to implement dynamic and effective nonpoint source (NPS) programs in close cooperation with the States. The EPA, acting as a partner and as a source of technical assistance and funding, has proposed several programs and activities designed to assist the States in their efforts to control NPS pollution.

The EPA's Draft Proposed Strategy for Strengthening Nonpoint Source Management was presented at a stakeholders meeting on October 14, 1997. The strategy's goal is to have programs implemented to achieve and maintain beneficial uses of water by the year 2013. Elements of the EPA's proposed national strategy include:

- Enhancing the Total Maximum Daily Load (TMDL) Program;

The EPA will work to assure: (a) the expeditious development of TMDLs for waters affected by nonpoint sources, and (b) the significant and rapid expansion of implementation activities to solve water problems caused by nonpoint source pollution as identified in the TMDL development process.
- Creating and Promoting Enhanced Water Quality Standards; and

The EPA will begin work to develop protocols and methodologies to assist States in developing appropriate water quality standards for nutrients. Where feasible, the EPA will work to develop numeric criteria that apply to defined geographic areas.

The EPA will begin addressing the need for sediment and pathogen nonpoint source pollutant water quality standards. The EPA will also strengthen its Antidegradation Policy; and, when a State fails to adopt adequate antidegradation regulations and implementation methods, the EPA will promulgate them.
- Strengthening Current NPDES Regulations.

The EPA will broaden coverage of construction site requirements by reducing the current threshold for applying NPDES permit requirements for erosion and sediment control from 5 acres to 1 acre.

The EPA plans to reduce erosion from unpaved roads that are currently not covered by NPDES storm water regulations, by using a watershed approach to identify areas where NPDES coverage is warranted.

EPA presentation prepared for the Meeting of Stakeholders in the Nonpoint Source Program, October 14, 1997.

Vice President Gore Announces Clean Water Initiatives To Mark Anniversary Of CWA

On October 18, 1997, Vice President Gore announced a set of Clean Water Initiatives to celebrate the 25th anniversary of the Clean Water Act. In a memorandum to Heads of Departments and Agencies, he asked the Secretary of Agriculture (USDA) and the Administrator of the Environmental Protection Agency (EPA) to convene this effort.

Despite many successes in cleaning up our Nation's waters, significant challenges remain. For example, harmful organisms in our waters and polluted runoff continue to pose threats to human health, fish and wildlife. To help solve these problems, the Vice President directed Federal agencies to develop a comprehensive Action Plan within 120 days to improve and strengthen water pollution control efforts across the country. He also identified a number of specific initiatives to achieve these major goals: enhanced protection of public health; more effective control of polluted runoff; and increased community participation in local watershed management. Agencies will also emphasize high levels of public participation and access to information, innovative solutions, and cooperative relationships with private parties and landowners.

The USDA, EPA and other Federal agencies have begun work on the Action Plan. Since public involvement is an important part of this effort, the agencies are planning a series of constituent meetings to discuss the Action Plan. An Internet website is being created to provide the public with information about this effort.

Groups or individuals may submit comments on actions that agencies should undertake in response to the Vice President's memorandum and are encouraged to specifically identify their topical interests and suggest ways to involve the public in development of the Action Plan. In addition to public involvement in the Action Plan, each element of the Plan will have substantial, and in some cases formal, opportunities for public involvement in the specific agency actions. The Plan will not determine the outcome of regulations, but will identify the overall goals of agency actions and the vision of how they fit together.

For further information contact Denise Coleman, USDA; (202) 720-1845 or Robert Goo at (202) 260-7025.

Federal Register, Volume 62, Number 216, November 7, 1997, pp. 60447-60449.

Navy Shipyard Integrated Marine Environmental Compliance Program Completed

The NAVSEA-sponsored Integrated Marine Environmental Compliance Program (IMECP) was recently completed by SPAWARSYSCEN San Diego. The goal of the IMECP was to develop a long-term, cost-effective strategy for marine environmental compliance at four Navy Shipyards (Puget Sound WA, Norfolk VA, Portsmouth NH, Pearl Harbor HI). The technical approach involved development of integrated data management plans and long-term monitoring plans that incorporate ecological risk-based measures of exposure and effects. The monitoring plans shift away from reliance on chemical analysis of end-of-pipe discharges and comparison of these concentrations to laboratory-derived national water quality standards, towards a site-specific approach that places more emphasis on the condition of each facility's receiving waters, sediments, and biota. The IMECP is consistent with the Environmental Protection Agency's Ecological Risk Assessment guidance and its increased emphasis on ambient monitoring, watershed management, and mass balance of pollutants (*i.e.* Total Maximum Daily Loadings or TMDLs).

The IMECP has had four major thrusts:

1. Integrate data management
2. Characterize sources and effects
3. Develop site-specific regulatory criteria
4. Optimize monitoring and testing schemes

Ongoing technical support to assist the four participating Navy Shipyards in these four thrust areas was provided throughout the four-year program, primarily in the areas of NPDES compliance and information/data management. The final deliverables included facility-specific Conceptual Models for Ecological Risk Assessment, Data Management Plans (including a Data Model and Data Reporting Specifications), and Long-Term Monitoring Plans. These final deliverables and the work performed in previous phases were packaged into a single HyperText Markup Language (HTML) product, consisting of one home page plus over 1500 linked Web pages, accessible with any standard Web browser. The product is currently available for review by Navy employees, and there are plans to have a publicly-accessible section when the review is completed.

Navy employees who desire review access are directed to contact Ron Gauthier, SPAWARSYSCEN San Diego D3621 at (619) 553-5330, DSN 553-5330, e-mail: meso@spawar.navy.mil.

Coming Up Next Issue: The Influence Of Seawater On The Partitioning Of Contaminants In Groundwater And Soils

Hazardous waste sites located in nearshore areas may be hydraulically connected to coastal and estuarine waters. For these sites, a major concern is the influence of seawater on the partitioning and potential migration of contaminants that are present in the soils and groundwater. Due to the interactions among seawater, groundwater, soils, sediments, and the chemical contaminants, complex physical and geochemical processes will affect the transport and mobility of chemicals from the site. This article will review the influence of seawater on important processes that affect the solubility, partitioning and transport of chemicals from nearshore landfills and disposal sites.

ABOUT THE MARINE ENVIRONMENTAL UPDATE

This newsletter is produced quarterly by the Marine Environmental Support Office (MESO), and is dedicated specifically to inform the Navy about marine environmental issues that may influence how the Navy conducts its operations. MESO is located at the Space and Naval Warfare Systems Center, San Diego, California. The mission of MESO is to provide Navy-wide technical and scientific support on marine environmental science, protection and compliance issues. This support covers a broad spectrum of activities, including routine requests for data and information, technical review and consultation, laboratory and field studies, comprehensive environmental assessments, and technology transfer. Significant developments in marine environmental law, policy, and scientific advancements will be included in the newsletter, along with references and points of contact for further information.

The Marine Environmental Support Office may be reached at:

**SPAWARSYSCEN SAN DIEGO D3621
MARINE ENVIRON SUPPORT OFC
53475 STROTHER ROAD
SAN DIEGO CA 92152-6325**

**Voice: 619.553.5330/1; DSN 553.5330/1
Facsimile: 619.553.5404; DSN 553.5404**

**E-mail: meso@spawar.navy.mil
PLAD: SPAWARSYSCEN SAN DIEGO CA**

WWW: <http://environ.spawar.navy.mil/Programs/MESO/aboutmeso.html>

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