

# State sued over sand mining in San Francisco Bay

Denis Cuff, East Bay Times, 1-31-17

SAN FRANCISCO — Environmentalists are suing the state in an effort to reduce sand mining inside San Francisco Bay that they contend is shrinking a popular beach and habitat for an endangered bird.

The San Francisco Baykeeper contends the State Lands Commission didn't adequately protect Ocean Beach last June when it renewed leases allowing a company to scoop up sand off the Bay bottom near Alcatraz Island.

The beach relies on replenishment of sand that moves from the Bay into the ocean and then washes up on Ocean Beach, Baykeeper said. The beach also is home to the snowy plover, which can be found across North and South America, Eurasia, and Africa.

Staff advisors to the State Lands Commission said an environmental review concluded the sand mining off the Bay floor will have no or negligible impact on Ocean Beach.

“The project is not expected to result in a substantial decrease in the supply of sediment to the San Francisco Bar and Ocean Beach,” authors of an environmental report concluded. “In summary, both the project-level impact and the contribution to a cumulative impact would be less than significant.”

Baykeeper, however, contends that new studies demonstrate the commission's conclusions are out of date in explaining how sand moves from an off-shore sand bar into beaches off the San Francisco Coast.

“Ocean Beach has the highest rate of erosion in the state,” said Erica Maharg, attorney for Baykeeper.

The superfine sand scooped off the Bay bottom is washed down from mountains, rivers and streams into the Central Valley. Much of it is used to make concrete, but it also can be used in restoring wetlands.

Baykeeper's motion seeking a big reduction in sand mining limits was filed this week in San Francisco Superior Court.

Baykeeper and the State Lands Commission has had a long-running legal dispute over the sand mining.

In 2015, the Court of Appeals ordered the State Lands Commission to reassess the sand mining in light of its duties to protect the public resources regarded as part of the public trust.

The commission did the review and decided to approve leases that enabled a company, Hanson Marine Operations, to increase its annual sand removal operations from 1 million to 1.5 million cubic yards.

Maharg of Baykeeper said it doesn't make sense to allow more sand mining in the Bay when public funds have been spent to replenish sand on Ocean Beach, a popular recreation spot in western San Francisco.

State Lands Commission staffers noted that several other environmental agencies such as the San Francisco Bay Conservation and Development Commission set restrictions on sand mining to protect fish and natural resources.

In a report last year, commission staffers said sand mining has public benefits in providing economic activity, and material for concrete and wetlands enhancement.