

**WEDA09 ENVIRONMENTAL COMMISSION PANEL:  
PORT DEVELOPMENT – DOING THE RIGHT THING**

**The Interrelationships of Port Development and Past/Present/Future  
Environmental Response Actions**

Stream of consciousness: Ports often encompass environmental legacy sites, with suspected or known upland and sediment impacts, with and without viable responsible parties, where response actions may or may not have already taken place.

- Scenario: Known contaminated sediments are experiencing natural recovery, with elevated concentrations of risk buried beneath cleaner material. Now the Port wants to dredge to accommodate deeper-draft vessels. Who pays the extra costs for contaminated sediment disposal? Who addresses the risk associated with the newly exposed contaminated surface?
- Scenario: Known contaminated sediments are contained below a PRP-constructed engineered cap. Now the Port wants to dredge to accommodate deeper-draft vessels. Who pays the extra costs for removing the existing cap and reconstructing a new cap over the remaining contaminated sediment once dredging is completed?
- Scenario: The only affordable option to a PRP for dredge disposal is the Port's own CDF, but doing so will greatly reduce the capacity and life expectancy of the CDF for the Port's navigational maintenance dredging program. What can be done to balance the benefits to human health and the environment of a cleanup project with the long-term economic viability of the Port?
- Scenario: A PRP will construct a berthing wall along a brownfield site where no docking facilities previously existed, to support a contaminated sediment dredging and capping project. The PRP has no long term need for the site after remediation is completed, and only needs to accommodate shallow-draft vessels during the project. The Port is developing a new master plan that may include a cruise ship terminal. What can be done to marry short-term and long-term interests?
- Scenario: A PRP completed an upland containment remedy, which included specially-sealed joints on the sheet pile enclosure. Now the Port wants to construct a recreational marina along the upland site. Will the marina development impact the containment remedy (e.g., cause the sheet pile joints to lose their effectiveness)?
- Scenario: The Port implemented a contaminated sediment remedy, which included institutional controls (e.g., no boat anchoring; no dredging/excavation; etc.) to ensure long-term protectiveness and permanence of the installed remedy. Now the local utility wants to install a new high voltage transmission line across the Bay, buried within the sediment, and the selected alignment passes through the area of remediation. Who pays the extra costs of amending the existing institutional controls and managing the contaminated sediments that will be disturbed?