

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 01-065

Resolution regarding guidelines for evaluation of dredged material proposed for disposal at in-Bay disposal sites, coordination of dredging permit review, and the issuance of waivers of water quality certification for small dredging projects.

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter Regional Board) finds that WHEREAS:

1. Regional Board Resolution No. 80-10 acknowledged procedures promulgated by the U. S. Army Corps of Engineers (USACE) in 1978 to evaluate the suitability of dredged material for in-Bay disposal and delegated primary responsibility for administering the new procedures to the USACE, while reserving the right to act to protect water quality, if necessary; and
2. Regional Board Order No. 93-009 endorsed 1992 revisions of the USACE 1978 guidelines for evaluating the suitability of dredged material for in-Bay disposal and directed staff implement the new guidelines; and
3. Regional Board Order No. 93-003 also directed staff to work with USACE, U.S. Environmental Protection Agency (USEPA), and the San Francisco Bay Conservation and Development Commission (BCDC) to develop a coordinated agency permit process for maintenance dredging permit applications, involving the development of a single permit application form to be used by all agencies and routinely scheduled meetings of the agencies to review permit applications;
4. Since 1995, Regional Board staff has been participating in the Dredged Material Management Office (DMMO.) along with staff from USACE, USEPA, BCDC, and the California State Lands Commission (SLC); and
5. The DMMO has developed a single permit application form for dredging projects that is used by all the participating agencies, holds regularly scheduled meetings that are open to the public in which permit applications and sediment testing plans and results are reviewed, tracks dredging and disposal volumes, and is expected to play an important role in the implementation of the Long Term Management Strategy for Disposal of Dredged Material in the San Francisco Bay Region (LTMS); and
6. In 1998 the USACE and USEPA issued new guidance for evaluating the suitability of dredged material for disposal in aquatic environments such as the in-Bay disposal sites in the document *Evaluation of Dredged Material Proposed for Discharge in Waters of the U.S. – Testing Manual, Inland Testing Manual*; and
7. The DMMO held two public workshops on the Inland Testing Manual and public workshop on Public Notice 99-3, describing how the Inland Testing Manual will be

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implemented in the San Francisco Bay Region, and is about to issue a follow-up to PN 99-3 containing revisions in response to public comments; and

8. Regional Board Resolution No. 87-53 delegated authority to the Executive Officer to waive water quality certification for dredging projects involving less than 50,000 cubic yards of dredging and disposal of dredged materials; and
9. New regulations in effect as of June 24, 2000, governing the issuance of water quality certifications by Regional Boards prohibit the issuance of waivers of water quality certification;

NOW, THEREFORE BE IT RESOLVED, that:

1. This Regional Board adopts the Inland Testing Manual and the local implementation procedures developed through the DMMO as the appropriate framework for evaluating the suitability of dredged material for disposal at in-Bay disposal sites in San Francisco Bay.
2. The Regional Board recognized the success of the DMMO as a review body for dredging and disposal projects in San Francisco Bay and as an important component in the implementation of the LTMS and directs staff to continue to participate in this group.
3. Resolution Nos. 80-10, 87-53, and 93-009 are hereby rescinded.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 19, 2001.

LORETTA K. BARSAMIAN
Executive Officer