

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION 94-079
RECOMMENDATION FOR
WATER QUALITY CERTIFICATION
CITY OF SAN RAFAEL
SAN RAFAEL CREEK
MAINTENANCE DREDGING, MARIN COUNTY

WHEREAS, the City of San Rafael has applied to the State for Water Quality Certification under Section 401 of the Clean Water Act for maintenance dredging of 63,000 cubic yards of sediment from San Rafael Creek. Disposal will be at the designated Alcatraz disposal site (SF-11) or at the San Pablo Bay disposal site (SF-10),

WHEREAS, the Regional Board under Section 401 of the Clean Water Act reviews permit applications to determine if the proposed activity will meet state water quality certification for the proposed activity; and

WHEREAS, Water Quality Certification is a certification for an activity that requires a federal license or permit that there is reasonable assurance that the activity which may result in a discharge to navigable water of the United States will not violate water quality objectives (Title 23, California Code of Regulations, Section 3830 et. seq.); and

WHEREAS, The Regional Board on July 19, 1989 amended the Basin Plan for the San Francisco Bay Region in regard to their Policy on Dredging and Disposal of Dredged Sediment;

WHEREAS, The City of San Rafael has submitted technical reports for review and approval by the Executive Officer prior to the commencement of the first dredging episode; and

WHEREAS, The City of San Rafael proposes to dredge approximately 63,000 cubic yards of sediment in one episode.

WHEREAS, Dredging is expected to be complete by January 1, 1995.

WHEREAS, The reports submitted must show that the proposed activity meets the water quality objectives contained in the Basin Plan; and

WHEREAS, This project is maintenance dredging from San Rafael Creek where the dredged material will be deposited in a disposal area authorized by all applicable state and federal regulatory agencies and is therefore categorically exempt from the provisions of CEQA pursuant to Section 15304(g) of the Resource Agency Guidelines; now

THEREFORE BE IT RESOLVED, that this Regional Board recommends that the Executive Director of the State Water Resources Control Board grant Water Quality

Certification in accordance with Section 401 of the Clean Water Act and State regulations in Title 23 California Code of Regulations Section 3830 et. seq. for the City of San Rafael for maintenance dredging for a quantity of approximately 63,000 cubic yards of dredged material for a period ending January ,1 1995, with disposal at the Alcatraz disposal site (SF-11) or San Pablo Bay disposal site to the discretion of the District Engineer, U.S. Army Corps of Engineer, San Francisco District, and is conditional upon the following:

- 1) A separate report of post-dredging bathymetric surveys be submitted to the Board immediately after dredging is completed.
- 2) Dredging method shall be by clamshell dredge only. The applicant may employ hydraulic dredging methods only after obtaining written approval of the Executive Officer.

With these conditions, this Regional Board directs the Executive Officer to transmit this resolution to the Executive Director of the State Water Resources Control Board.

BE IT FURTHER RESOLVED, that I, Steven R. Ritchie, Executive Officer, do hereby certify 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 July 20, 1994.



STEVEN R. RITCHIE
Executive Officer