

From: Keri Cole
To: garyg@water.ca.gov
Date: 5/4/01 1:36PM
Subject: Monitoring Data

Hi Gary

Linda Pardy, in our office, recently forwarded me some monitoring data for the Santa Margarita River, San Diego River and Escondido Creek (see attached file). I have been unsuccessful in determining the dates of the sampling. Can you help me out? I am also interested in finding out exactly where the sampling stations are. Can you provide this to me? Do you have a map of the sampling locations? What is the frequency of this data? What purposes is it used for on your end?

The reason I am asking all of this is because we are currently soliciting for additional information and data that may support updates to our 303d list of impaired waterbodies in the region (see attached correspondence). I would be interested in looking at this monitoring data from July 1997 if it is available?

Thanks in advance for your assistance.

Keri Cole, P.E.
Water Resource Control Engineer
San Diego RWQCB
9771 Clairemont Mesa Blvd., Suite A
San Diego, CA 92124
(858) 467-2798
colek@rb9.swrcb.ca

>>> "Gary Gilbreath" <
most recent and historic.

Gary Gilbreath
Dept. of Water Resources
Water Resources Engineering
770 Fairmont Ave Ste 102
Glendale, Ca 91203-1035
WP-818-543-4653
Fax-818-543-4604
e-mail; garyg@water.ca.gov
web page; <http://www.dpla.water.ca.gov>

SAN DIEGO
RIVER

combined data

Lab_Smp_No	STA_NUM	StationName	FLIMS_Sample_No	TYPE_W	COUNTY	TIME	SAMP_C	FLD Cloud Cover	FLD_EC (µS/cm)	DISS_O (mg/L)	FLOW (cfs)	FLD_PH	DEGREE
	V9209500	MOJAVE R BL FORKS	LRA0599A0108	S	36	1130	5050	0	293	8.5	25	7.8	64
	V9209500	MOJAVE R BL FORKS	LRA0400B0444	S	36	1030	5050	0	249	8.8	10	8	64
	V9209500	MOJAVE R BL FORKS	LRA1100B4998	S	36	1015	5050	25	376	9.3	15	8	56
	X2135000	S M R NR FLBRK	LRA0500B0483	S	37	1015	5050	100	1405	8.6	20	8	68
	X2135000	S M R NR FLBRK	LRA0599A0147	S	37	0900	5050	100	1238	8.2	30	7.6	64
LR5986	X2135000	S M R NR FLBRK	LRA0598A0941	S	37	0845	5050	90	648	8.4		7.2	62
2543	X2135000	S M R NR FLBRK	LRA1198A2543	S	37	1000	5050	0	1350	7.1	30	8	56
	X2135000	S M R NR FLBRK	LRA1100B5076	S	37	1030	5050	0	1410	10.5	25	7.9	53
	X4340005	ESCND0 nr H GRV	LRA0500B0484	S	37	1145	5050	20	1790	7.8	10	8	71
	X4340005	ESCND0 nr H GRV	LRA0599A0148	S	37	1045	5050	0	1787	7.4	20	8	64
LR5987	X4340005	ESCND0 nr H GRV	LRA0598A0942	S	37	1030	5050	80	1225	8.7		7.6	58
2544	X4340005	ESCND0 nr H GRV	LRA1198A2544	S	37	1120	5050	0	1850	8.7	15	8	56
	X4340005	ESCND0 nr H GRV	LRA1100B5077	S	37	1140	5050	0	1844	9.8	20	7.9	52
	X5123030	SD RVR @ OMD	LRA0500B0487	S	37	1315	5050	0	1906	9.7	15	7.8	78
	X5123030	SD RVR @ OMD	LRA0599A0151	S	37	1145	5050	0	1957	6	25	7.6	68
LR5990	X5123030	SD RVR @ OMD	LRA0598A0943	S	37	1200	5050	95	950	5.9		7	62
2547	X5123030	SD RVR @ OMD	LRA1198A2547	S	37	1230	5050	0	1600	4.6	25	7.1	58
	X5123030	SD RVR @ OMD	LRA1100B5080	S	37	1315	5050	0	1372	5.2	20	7.2	52
	Y2121005	CHINO CREEK	LRA0500B0481	S	36	0800	5050	100	895	6.7	35	7.2	72
	Y2121005	CHINO CREEK	LRA0599A0145	S	36	0545	5050	0	850	7	20	7	68

combined data

Lab_Smp_No	STA_NUM	StationName	Dissolved Ortho- phosphate	NA (mg/L)	SO4 (mg/L)	Ortho-phosphate	LAB_PH	*FLD Discharge (cfs)	GAGE_H (ft)	*FLD Odor	Dissolved Chloride
	V9209500	MOJAVE R BL FORKS		27	22		7.8				0.9
	V9209500	MOJAVE R BL FORKS		26	21		7.65				1
	V9209500	MOJAVE R BL FORKS		53	56		8.2			0	
	X2135000	S M R NR FLBRK		113	274		8.14				0.3
	X2135000	S M R NR FLBRK		114	234		7.8				0.3
LR5986	X2135000	S M R NR FLBRK			95		8.2	70	0		
2543	X2135000	S M R NR FLBRK		101	258		7.8		30		0.3
	X2135000	S M R NR FLBRK		122	268		8.2			0	205
	X4340005	ESCND0 nr H GRV		211	337	0	8.179				0.4
	X4340005	ESCND0 nr H GRV		230	307	0.061	8				0.4
LR5987	X4340005	ESCND0 nr H GRV	0.12		209	0.02		35	0		
2544	X4340005	ESCND0 nr H GRV		217	325	0.11	7.9		0		0.4
	X4340005	ESCND0 nr H GRV		220	344	0.08	8.3			0	271
	X5123030	SD RVR @ OMD			278						
	X5123030	SD RVR @ OMD			282						
LR5990	X5123030	SD RVR @ OMD			126			35	0		
2547	X5123030	SD RVR @ OMD			225				0		
	X5123030	SD RVR @ OMD			184				0	0	245
	Y2121005	CHINO CREEK			125						
	Y2121005	CHINO CREEK			106						



Cal/EPA

San Diego
Regional Water
Quality Control
Board

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FAX (619) 571-6972

December 30, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Z 222 406 767

Commanding Officer
Naval Station
3395 Sturtevant Street, Suite G
San Diego, CA 92136

Dear Commanding Officer:

**ADOPTION OF ORDER NO. 97-63 "WASTE DISCHARGE REQUIREMENTS
FOR THE U.S NAVY, PROJECT P-338S, PIER 3 DREDGING, SAN DIEGO
COUNTY"**

Enclosed is a copy of the subject Order which was adopted by
this Regional Board on December 10, 1997. This Order
establishes requirements for dredging and temporary disposal
of up to 160,000 cubic yards of dredged spoils from Pier 3
at the Naval Station.

Please note that Section B.3.c of Order No. 97-63 requires
the Navy submits a technical report at least 30 days prior
to disposal of dredged material at an upland disposal site
located in Hydrologic Subareas not designated for MUN.

If you have any questions regarding this Order, please call
Mr. Dat Quach at (619) 467-2978.

Respectfully,



JOHN H. ROBERTUS
Executive Officer
DTQ
Enclosure
File: 05-0843.02



Pete Wilson
Governor



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Our mission is to preserve and enhance the quality of California's water resources, and
ensure their proper allocation and efficient use for the benefit of present and future generations.

**TABLE 6.1.5-1
STATE WATER RESOURCE CONTROL BOARD BENEFICIAL USE
DESIGNATIONS FOR SAN DIEGO RIVER WATERSHED**

<u>Water Body</u>	<u>Beneficial Use Designations</u>
<u>San Diego River Watershed (Santee/El Monte Hydrologic Subareas)¹</u>	<ul style="list-style-type: none"> • <u>Agricultural Supply (AGR)</u> • <u>Industrial Service Supply (IND)</u> • <u>Contact Water Recreation (REC1)</u> • <u>Non-contact Water Recreation (REC2)</u> • <u>Warm Freshwater Habitat (WARM)</u> • <u>Cold Freshwater Habitat (COLD)</u> • <u>Wildlife Habitat (WILD)</u> • <u>Rare, Threatened or Endangered Species (RARE)</u>
<u>El Capitan, San Vicente & Cuyamaca Reservoirs</u>	<ul style="list-style-type: none"> • <u>Municipal and Domestic Supply (MUN)</u> • <u>Agricultural Supply (AGR)</u> • <u>Industrial Process Supply (PROC)</u> • <u>Industrial Service Supply (IND)</u> • <u>Contact Water Recreation (REC1)²</u> • <u>Non-contact Water Recreation (REC2)</u> • <u>Warm Freshwater Habitat (WARM)</u> • <u>Cold Freshwater Habitat (COLD)</u> • <u>Wildlife Habitat (WILD)</u> • <u>Rare, Threatened or Endangered Species (RARE)³</u>
<u>Lake Jennings</u>	<ul style="list-style-type: none"> • <u>Municipal and Domestic Supply (MUN)</u> • <u>Agricultural Supply (AGR)</u> • <u>Industrial Process Supply (PROC)</u> • <u>Industrial Service Supply (IND)</u> • <u>Contact Water Recreation (REC1)²</u> • <u>Non-contact Water Recreation (REC2)</u> • <u>Warm Freshwater Habitat (WARM)</u> • <u>Cold Freshwater Habitat (COLD)</u> • <u>Wildlife Habitat (WILD)</u>
<u>Lake Murray</u>	<ul style="list-style-type: none"> • <u>Municipal and Domestic Supply (MUN)</u> • <u>Industrial Service Supply (IND)</u> • <u>Contact Water Recreation (REC1)²</u> • <u>Non-contact Water Recreation (REC2)</u> • <u>Warm Freshwater Habitat (WARM)</u> • <u>Cold Freshwater Habitat (COLD)</u> • <u>Wildlife Habitat (WILD)</u> • <u>Hydropower Generation (POW)</u>
<u>El Monte/Santee Groundwater Basin</u>	<ul style="list-style-type: none"> • <u>Municipal and Domestic Supply (MUN)</u> • <u>Agricultural Supply (AGR)</u> • <u>Industrial Process Supply (PROC)</u> • <u>Industrial Service Supply (IND)</u>

Source: Regional Water Quality Control Board, 1994

Table Notes:

¹ The Santee/El Monte Hydrologic Subareas are exempt from designation as a source of drinking water under State Water Board Resolution No. 88-63, "Sources of Drinking Water".

² Fishing from shore or boat only permitted.

³ Cuyamaca and El Capitan Reservoirs only.



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Quality Control
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May 15, 1998

John E. McAmis, President
J.E. McAmis, Inc.
3125 Southgate Lane
Chico, CA 95928

Dear Mr. McAmis:

DISPOSAL OF DREDGED MATERIALS FROM PIER 3

By letter dated May 6, 1998, you requested the authorization from Regional Board for disposal at the Lakeside Land Company facility approximately 126,000 cubic yards of sediment being dredged from Pier 3, Naval Station in San Diego.

The disposal of material at the Lakeside Land Company facility is regulated by the Regional Board's Order No. 92-14, *Waste Discharge Requirements for Lakeside Land Company, San Diego County*. This Order limits Lakeside Land Company to accepting only inert waste for disposal at its facility. In adopting Order No. 97-63, *Waste Discharge Requirements for the US Navy, Project P-3385, Pier 3 Dredging, San Diego County*, the Regional Board classified the Pier 3 sediment as inert waste.

Consequently, we have no objection to your proposal to dispose Pier 3 sediment at the Lakeside Land Company facility.

If you have any questions, please call Mr. Dat Quach at (619) 467-2978.

Respectfully,

Robert Morris

ROBERT W. MORRIS
Senior Water Resource Control Engineer

05-0843.02



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Our mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ORDER NO. 97-63
WASTE DISCHARGE REQUIREMENTS
FOR THE
U.S. NAVY
PROJECT P-338s, PIER 3 DREDGING
SAN DIEGO COUNTY

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

1. The Department of the Navy (hereinafter discharger), Southwest Division, Naval Facilities Engineering Command (Navy), submitted an incomplete report of waste discharge (RWD) on August 6, 1997 for Project P-338s, the dredging and disposal of approximately 160,000 cubic yards (cy) of dredged spoils from Pier 3 located at Naval Station in San Diego Bay to a depth of -37 feet below mean lower low water (MLLW), with a 2-foot overdredge allowance. The Navy revised the RWD on November 18, 1997 completing the application for waste discharge requirements.
2. The discharger reports that Project P-338s will be divided into two phases. The first phase consists of dredging the top layer of sediment which is approximately 110,000 cy and disposing the material upland. During the first phase, silt curtains comprised of a geotextile fabric supported by a floatation boom will be placed around the dredging area to minimize turbidity. The second phase consists of dredging the bottom layer which is approximately 50,000 cy and disposing the material either upland or at the LA-5 ocean disposal site.
3. The US Army Corps of Engineers and US EPA have concluded that ~~the material in the top layer is significant bioassay material and is not suitable either for use as beach replenishment material or for ocean disposal.~~ The Federal agencies have concurred with the discharger's plan for disposal of dredged sediments from Project P-338s.

4. The discharger proposes that dredged materials for upland disposal will be transported to a confined disposal facility (CDF) located at the Mole Pier in NAVSTA for further moisture removal prior to disposal. ~~The Navy has not identify a final upland disposal site for sediments,~~ but proposes to commence its dredging activity and temporarily store the dredged material at the CDF. The Navy reports that the dredging operation will stop if an approved disposal site is not found and the CDF reaches its maximum capacity.
5. The discharger indicates that the CDF has a capacity of 30,000 cubic yards and consists of an approximately 8,600 square meter drying area surrounded by an approximately three meter high dike and underlain by a liner of low permeability (not less than 20 mils). The discharger reports that the dike is constructed with imported clean earth fill and held in place by smaller earthen dikes.
6. The Water Quality Control Plan, San Diego Basin (9) (hereinafter Basin Plan) was adopted by this Regional Board on September 8, 1994 and subsequently approved by the State Water Resources Control Board (State Board) on December 13, 1994. Subsequent revisions to the Basin Plan have also been adopted by the Regional Board and approved by the State Board. The Basin Plan designates beneficial uses and narrative and numerical water quality objective, and prohibitions which are applicable to the discharges regulated under this Order.
7. ~~The dredged materials specified for upland disposal~~ are classified in accordance with California Code of Regulations, Title 23, Division 3, Chapter 15 (Chapter 15), Article 2. The results of a testing program consisting of grain size, chemical, and amphipod bioassay analyses, developed by the discharger in accordance with the testing program was developed based on the "1991 Evaluation of Dredge Materials Proposed for Ocean Disposal" under the direction and approval of the US Army Corps of Engineer (ACOE) and US Environmental Protection Agency. (EPA).

The test results demonstrate that the material specified for upland disposal comply with concentration limits established by this Regional Board in "Waste Discharge Requirement Waiver Policy for Disposal/Reuse of Dredge Spoils in Industrial or Commercial Applications". The basis of this waiver is that the disposal/reuse would not cause a violation of the water quality standards established in the Basin Plan for surface and ground water hydrologic units, areas and subareas that comply with all other general and specific conditions of the waiver policy for disposal/reuse of dredge spoils. These conditions include: separation from surface and groundwater resources; adequate cover of the material after disposal; ~~and beneficial uses in hydrologic basins that are not designated as a municipal and domestic supply (MUN).~~

8. The Navy Project P-338s will result in short-term increases in turbidity of San Diego Bay waters in the vicinity of the dredging area. These short term water quality impacts will not unreasonably affect present and anticipated beneficial uses of bay waters and will not result in water quality less than that prescribed in applicable plans and policies as described in this Order. The short term change in water quality is consistent with maximum benefit to the people of the State. The project as described in this Order is consistent with State Water Resources Control Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California*.
9. Pursuant to Council of Environmental Quality regulations (40 CFR Parts 1500-1508) implementing the National Environmental Policy Act (NEPA), the Southwest Division, Naval Facilities Engineering Command prepared an Environmental Assessment for "Pier 3 Dredging Ocean and Upland Disposal" dated June, 1997.
10. On July 3, 1997 the Department of Defense jointly with the Department of the Navy made a Finding of No Significant Impact for the project.
11. This Regional Board, as Lead Agency in accordance with the California Environmental Quality Act (CEQA) (Public

Resources Code (PRC) §21000, et seq.], gave public notice on September 9, 1997 that the Finding of No Significant Impact from an Environmental Assessment prepared in compliance with NEPA meets CEQA requirements and will use the Finding of No Significant Impact in place of a Negative Declaration, as provided for in PRC §15225. Public notice was accomplished by publishing a notice in the San Diego Union Tribune. This Regional Board hereby approves the Finding of No Significant Impact and will use it in place of a Negative Declaration in compliance with CEQA requirements.

12. Project P-338s, if conducted in accordance with these waste discharge requirements, will not have a significant effect on water quality.
13. The Basin Plan identifies the following beneficial uses of the waters of San Diego Bay:
 - a. Industrial service supply;
 - b. Navigation;
 - c. Water contact recreation;
 - d. Non-contact water recreation;
 - e. Ocean commercial and sport fishing;
 - f. Saline water habitat;
 - g. Wildlife habitat;
 - h. Preservation of rare and endangered species;
 - i. Marine habitat;
 - j. Fish migration; and,
 - k. Shellfish harvesting.
14. The Basin Plan contains prohibitions, narrative water quality objectives, and numerical water quality objectives applicable to inland surface waters and marine waters in the San Diego Region. These prohibitions and objectives have been incorporated into this Order.
15. The Regional Board, in establishing the requirements contained herein, considered factors including, but not limited to the following:
 - (a) past, present, and probable future beneficial uses of the waters under consideration;

- (b) environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto;
 - (c) water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;
 - (d) economic considerations;
 - (e) the need for developing housing within the region;
 - (f) the need to develop and use recycled water;
 - (g) beneficial uses to be protected and water quality objectives reasonably required for that purpose;
 - (h) other waste discharges; and,
 - (i) the need to prevent nuisance.
16. The Regional Board has considered all water resource related environmental factors associated with the discharge of waste as described in this Order.
17. The Regional Board has notified the U.S Navy and all other known interested parties of the intent to prescribe waste discharge requirements as described in this Order.
18. The Regional Board in a public meeting heard and considered all comments pertaining to the proposed discharge.

IT IS HEREBY ORDERED, that the U.S Navy (hereinafter discharger) shall comply with the following for the project P-338s:

A. PROHIBITIONS

1. Discharges of wastes in a manner and to lands which have not been specifically described in the report of waste discharge and for which valid waste discharge requirements are not in force are prohibited.

2. Neither the treatment, storage nor disposal of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code.
3. Dredging, storage or disposal of dredged material in a manner that causes a violation any Basin Plan prohibition; or any Basin Plan water quality objective established for San Diego Bay; or causes a violation any Ocean Plan prohibition; or any Ocean Plan water quality objective; or causes a violation any Bays and Estuaries Policy prohibition; or Bays and Estuaries Policy water quality principles and policies is prohibited. The relevant sections from the Basin Plan and the Bays and Estuaries Policy is contained in Attachment No. 1 to this Order.
4. The Navy shall cease all dredging operations if an approved disposal site is not found and the CDF reaches its maximum capacity of 30,000 cubic yards.

B. OPERATION SPECIFICATIONS

1. VOLUME

The volume of material dredged for the project P-338s shall not exceed 160,000 cubic yards.

2. PROJECT IMPLEMENTATION

The project shall be implemented in accordance with the Findings of this Order unless the Regional Board Executive Officer approves an alternative measure and shall be conducted in conformance with the following conditions:

- (a) sediment shall be removed in a manner that prevents or minimizes water quality degradation;
- (b) dredge spoils shall not be deposited in a location that may cause significant adverse effects to

aquatic life, fish, shellfish, or wildlife or may harm the beneficial uses of the receiving waters, or does not create maximum benefit to the people of the state;

- (c) any point source discharge of water from either the CDF and/or the dredging and transportation operation of the top layer shall be discharged behind a silt curtain; and
- (d) the project shall not cause significant adverse impacts upon a federal sanctuary, recreational area, or other waters of significant national importance.

3. FINAL DISPOSAL/REUSE OF DREDGED AND FILL MATERIAL

- (a) All dredged and fill material shall be disposed of and/or deposited in conformance with federal, state and local laws and regulations.
- (b) Disposed/reused of dredged material in Hydrologic Subareas designated for MUN is prohibited unless the discharger obtains revised waste discharge requirements or the disposal/reuse is permitted by a different resolution or waste discharge requirements. The report of waste discharge as specified in Requirement D.5 of this Order must demonstrate that the material does not contain hazardous waste or soluble pollutants at concentrations in excess of the applicable Basin Plan surface and groundwater quality objectives for the hydrologic area of the proposed disposal site, and that the material does not contain significant quantities of decomposable waste.
- (c) Dredged material specified for upland disposal shall be disposed/reused at upland disposal sites located in Hydrologic Subareas not designated for MUN provided that prior to disposal/reuse of dredged material at any Hydrologic Subarea not designated for MUN, the U.S. Navy submits a technical report for the review and approval of the Regional Board

Executive Officer. The report must be submitted at least 30 days prior to commencement of the discharge, and shall include the location and Hydrologic Subarea of the upland disposal site, and demonstrate that the disposal project satisfies the following conditions:

- (1) The site shall be protected against 100-year peak stream flows as defined by the County flood control agency;
 - (2) Dredged material shall be covered by either constructed materials (e.g. used as roadbase, fill beneath buildings, bridge abutments) or not less than 2 feet of noncontaminated clean fill;
 - (3) Dredged material shall be placed a minimum of 100 feet away from any surface water; and
 - (4) Dredged material shall be placed a minimum of 5 feet above the highest anticipated elevation of groundwater.
- (d) Dredged material from the bottom layer shall be disposed either upland or at an ocean disposal site approved by ACOE and EPA.

4. TEMPORARY STORAGE OF DREDGED MATERIAL

All waste piles used for treatment or storage shall be bermed to prevent surface runoff/runon from contacting wastes and to prevent erosion and transport of contaminated soils by surface runoff. Berm material shall consist of clean, noncontaminated soil.

5. FLOOD PROTECTION

All waste piles used for treatment or storage shall be protected against 100-year peak stream flows as defined by the County flood control agency.

6. CLOSURE PLAN FOR THE CDF

The discharger shall submit a closure plan for the CDF site 90 days before closing the site. The closure plan shall describe how the site will be restored to its original state following the removal of all treatment facilities, related equipment, etc.

7. MONITORING AND REPORTING

The discharger shall comply with attached Monitoring and Reporting Program No. 97-63, and future revisions thereto as specified by the Executive Officer. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 97-63.

C. STANDARD PROVISIONS

1. DUTY TO COMPLY

The discharger must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for (a) enforcement action; (b) termination, revocation and reissuance, or modification of this Order; or (c) denial of a report of waste discharge in application for new or revised waste discharge requirements.

2. ENTRY AND INSPECTION

The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this order;

- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.

3. PROPER OPERATION AND MAINTENANCE

The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.

4. CIVIL MONETARY REMEDIES

The California Water Code provides that any person who intentionally or negligently violates any waste discharge requirements issued, reissued, or amended by this Regional Board is subject to a civil monetary remedy of up to 20 dollars per gallon of waste discharged or, if a cleanup and abatement order is issued, up to 15,000 dollars per day of violation or some combination thereof.

5. PENALTIES FOR INVESTIGATION, MONITORING OR INSPECTION VIOLATIONS

The California Water Code provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor and is subject to a civil liability of up to 5,000 dollars for each day in which the violation occurs.

6. ENDANGERMENT OF HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

7. CORRECTIVE ACTION

The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.

9. COMPLIANCE

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies for example, when the primary source of power of the treatment facility is failed, reduced, or lost.

10. HAZARDOUS RELEASES

Except for a discharge which is compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control Plan.

11. PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without

regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan.

D. REPORTING AND RECORDKEEPING REQUIREMENTS

1. PERMIT REPOSITORY

A copy of this Order shall be maintained at the discharger's facility and shall be available to operating personnel at all times.

2. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

3. GENERAL REPORTING REQUIREMENT

The discharger shall furnish to the Executive Officer of this Regional Board, within a reasonable time, any information which the Executive Officer may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The discharger shall also furnish to the Executive Officer, upon request, copies of records required to be kept by this Order.

4. PERMIT REVISION

This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

- (a) Violation of any terms or conditions of this Order;
- (b) Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts; or
- (c) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

The filing of a request by the discharger for the modification, revocation and reissuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

5. CHANGE IN DISCHARGE

The discharger shall file a new Report of Waste Discharge at least 120 days prior to the following:

- (a) Significant change in the treatment or disposal method (e.g., change in the method of treatment which would significantly alter the nature of the waste.)

- (b) Change in the disposal area from that described in the findings of this Order.
- (c) Increase in flow beyond that specified in this Order.
- (d) Other circumstances which result in a material change in character, amount, or location of the waste discharge.
- (e) Any planned change in the regulated facility or activity which may result in noncompliance with this Order.

6. CHANGE IN OWNERSHIP

This Order is not transferable to any person except after notice to the Executive Officer. The discharger shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgment that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. The Regional Board may require modification or revocation and reissuance of this Order to change the name of the discharger and incorporate such other requirements as may be necessary under the California Water Code.

7. INCOMPLETE REPORTS

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information.

8. REPORT DECLARATION

All applications, reports, or information submitted to the Executive Officer shall be signed and certified as follows:

- (a) The Report of Waste Discharge shall be signed as follows:
 - (1) For a corporation - by a principal executive officer of at least the level of vice-president.
 - (2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
 - (3) For a municipality, state, federal or other public agency - by either a principal executive officer or ranking elected official.
- (b) All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in paragraph (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described in paragraph (a) of this provision;
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and
 - (3) The written authorization is submitted to the Executive Officer.
- (c) Any person signing a document under this Section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

9. REGIONAL BOARD ADDRESS

The discharger shall submit reports required under this Order, or other information required by the Executive Officer, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
9771 Clairemont Mesa Blvd, Suite B
San Diego, California 92124-1331

E. NOTIFICATIONS

1. VESTED RIGHTS

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from liability under federal, state or local laws, nor create a vested right for the discharger to continue the waste discharge.

2. U.S. EPA REVIEW

These requirements have not been officially reviewed by the United States Environmental Protection Agency and are

not issued pursuant to Section 402 of the Clean Water Act.

3. SEVERABILITY

The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.

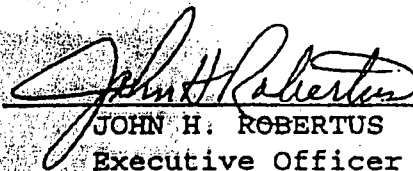
4. WATER QUALITY CERTIFICATION

The adoption of these waste discharge requirements constitutes a waiver of water quality certification for the project as described in this Order pursuant to Section 401 of the Clean Water Act.

5. ANNUAL FEES

The discharger shall pay annual waste discharger fees pursuant to Water Code Section 13260. These annual fees are due and payable at the time invoiced regardless if any discharge for which these waste discharge requirements have been issued has occurred.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on December 10, 1997.


JOHN H. ROBERTUS
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
MONITORING AND REPORTING PROGRAM NO. 97-63
FOR
THE U.S. NAVY
PROJECT P-338s, PIER 3 DREDGING
SAN DIEGO COUNTY

A. MONITORING PROVISIONS

1. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this Order and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Executive Officer.
2. Monitoring must be conducted according to United States Environmental Protection Agency or California Department of Health Services approved test procedures as described in the current Title 40, Code of Federal Regulations (CFR), Part 136 and 261, or the current California Code of Regulations, Title 22, Article 11, as appropriate, unless other test procedures have been specified in this Monitoring and Reporting Program.
3. All analyses shall be performed in a laboratory certified to perform such analyses by the California Department of Health Services or a laboratory approved by the Regional Board Executive Officer.
4. Monitoring results must be reported on discharge monitoring report forms approved by the Executive Officer.
5. If the discharger monitors any pollutants more frequently than required by this Monitoring and Reporting Program, using test procedures as specified in Item No. 2 above, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharger's monitoring report(s). The increased frequency of monitoring shall also be reported.

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6. The discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.
7. Records of monitoring information shall include:
 - (a) The date, exact place, and time of sampling or measurements, or observations;
 - (b) The individual(s) who performed the sampling, measurements, or observations;
 - (c) The date(s) analyses were performed;
 - (d) The individual(s) who performed the analyses;
 - (e) The analytical techniques or method used; and
 - (f) The results of such analyses.
8. All monitoring instruments and devices which are used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.
9. The discharger shall report all instances of noncompliance not reported under Standard Provision C.6 of Order No. 97-63 at the time monitoring reports are submitted.
10. The monitoring reports shall be signed by an authorized person as required by Report and Record Keeping Requirement D.8.
11. A grab sample is an individual sample of at least 100 milliliters collected at a randomly selected time over a period not exceeding 15 minutes.

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B. INITIAL REPORT

The discharger shall notify the Regional Board by letter prior to starting their project. The notification shall be received by the Regional Board at least three days before any dredging work begins.

C. OPERATIONS MONITORING

The discharger shall submit as part of their monitoring report the following information:

1. Estimates of the daily volume (in cubic yards) of dredge material and the location from which the material was removed.
2. The total volume (in cubic yards) of dredged material removed during the project and the total volume (in cubic yards) of material deposited at each final disposal location.
3. A daily log of the volume (in cubic yards) of dredged material in CDF shall be maintained and submitted as part of the monthly monitoring report.

D. VISUAL OBSERVATIONS

During any monitoring conducted pursuant to this monitoring and reporting program, visual observations shall also be made and recorded and submitted as part of the required reports. The following observations shall be made, recorded, and submitted monthly:

1. speed and direction of the currents;
2. tidal stage;
3. appearance of rubbish or refuse (including cans, bottles, paper, plastic, etc.), garbage, trash or any other solid waste;
4. appearance of oil or other materials of petroleum origin;

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5. discoloration and extent of any visible turbidity plume; and,
6. odors.

E. RECEIVING WATER MONITORING

1. TURBIDITY

Sampling shall occur at three sampling stations. Station A is at 500 feet updrift of the dredging activities. Station B is inside any visual plume at the dredging sites and/or within the silt curtain if possible. Station C is between 0 and 250 feet downdrift outside the silt curtain of the dredging activities and inside any visual plume if possible. At these stations, a Secchi Disc or turbidity meter shall be used each day during dredging activities to sample turbidity. If turbidity at Station C increases more than 20% over the turbidity at Station A, the dredging operations shall be suspended and appropriate measures taken, the Regional Board Executive Officer notified and remedial measures shall be implemented.

2. CHEMICAL ANALYSIS

A minimum of two grab samples of the receiving water at mid-depth within the visible turbidity plume at the dredging site, and a grab sample of return water from CDF shall be collected and analyzed for the listed constituents. At least one sample shall be at each station identified in the above Item E.1:

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CONSTITUENT	UNIT	SAMPLING FREQUENCY	REPORTING FREQUENCY
Total suspended solids	mg/L	biweekly*	monthly
polynuclear aromatic hydrocarbons	ng/L	biweekly*	monthly
hydrogen sulfide	ug/L	biweekly*	monthly
Chromium	ug/L	monthly	monthly
copper	ug/L	monthly	monthly
lead	ug/L	monthly	monthly

*Twice a week

F. COMPLIANCE STATEMENTS

The discharger will submit statements indicating compliance or noncompliance of Projects P-338s with the requirements of Order No. 97-63. Compliance statements will be submitted monthly until project completion.

G. FINAL REPORT

The discharger will notify the Regional Board by letter upon completion of the project. Project completion is considered to be the date on which all dredged material has been deposited at its final disposal locations.

H. REPORTING

Monitoring reports shall be submitted to the Executive Officer in accordance with the following schedule:

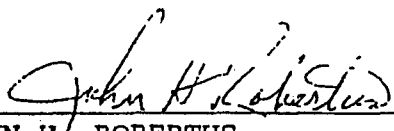
<u>Reporting Frequency</u>	<u>Report Period</u>	<u>Report Due</u>
Monthly	January, February, March April, May, June, July August, September, October, November, December	By the 30 th day of the following month

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Monitoring Reports shall be submitted to:

California Regional Water Quality Control Board
San Diego Region
9771 Clairemont Mesa Blvd., Suite A
San Diego, Ca 92124-1131

Ordered by:


JOHN H. ROBERTUS
Executive Officer
December 10, 1997