

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

ORDER NO. R4-2018-xxxx

**WASTE DISCHARGE REQUIREMENTS
FOR
OXNARD HARBOR DISTRICT
(PORT HUENEME BERTH DEEPENING AND WHARF IMPROVEMENT PROJECT)
(FILE NO. 17-106)**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) issues this Order pursuant to California Water Code section 13263, and finds:

1. Pursuant to California Water Code (Water Code) section 13260, the Oxnard Harbor District (OHD) has filed an application for Waste Discharge Requirements for berth deepening and wharf improvement within Port Hueneme near the City of Oxnard, Ventura County.
2. Port Hueneme is located approximately 60 miles northwest of Los Angeles on the California coast (Figure 1). It is the only deep-water harbor between Los Angeles and the San Francisco Bay area. It also serves as one of the military ports on the West Coast, containing the U.S. Navy (USN) facility. The port is a constructed, landlocked harbor connected to the sea by a jetty-protected entrance channel. The outer part of the entrance channel terminates at the head of a submarine canyon, which offers an excellent deep water approach to the Harbor for large ocean-going vessels. Port Hueneme contains berths owned by OHD and USN, and federal channels maintained by the U.S. Army Corps of Engineers (USACE). USN is not proposing to deepen its berths at this time. USACE is preparing its own National Environmental Policy Act (NEPA) Supplemental Environmental Assessment for the federal proportion of the project.

The current design depth of OHD berths is -35 feet mean lower low water (MLLW). The project includes deepening Berths 1, 2 and 3 to -40 feet MLLW, plus two feet of overdepth allowance (for a total of -42 feet MLLW). The total volume of material proposed for dredging from Berths 1, 2 and 3 is estimated to be 28,500 cubic yards (cy), consisting of 19,500 cy above project depth and 9,000 cy of allowable overdepth volume. Deepening of berths will accommodate deep-draft vessels, increase cargo efficiency, reduce transit costs, and minimize vessel safety concerns.

To support the deeper berth depth, improvements will be made to the existing berths, including installing a sheetpile toe wall, replacing the fender pile system, and improving the mooring hardware and wharf deck. More specifically, wharf improvements include installing a sheetpile toe wall along the base of the wharf to allow deepening of the berths while still maintaining stability of the slope under the wharf. The existing fender pile system would be removed to install the toe wall, and a new fender pile system would be installed alongside the toe wall. Composite fender piles would be used in the new fender pile system. Other fender pile system components would be replaced with more robust timber walers and rubber fenders along the wharf face. The existing fender piles, timber walers, rubber fenders, and other components

March 20, 2018

T E N T A T I V E

would be removed and properly disposed of off-site. Upland concrete deck improvements are required along the wharf and would include repairing soffit, fascia, and curb repairs, installing bollard foundations, resurfacing the deck from the bulkhead face to the buildings, and sealing the deck with a protective coating. The ships' stations would be outfitted with snubbing bars to preclude snagging or damaging ships' lines.

3. Approximately 28,500 cy of dredged material will be generated from the proposed project. OHD proposes to place the dredged material in the Nearshore Placement Zone or the Beach Nourishment Placement Zone at Hueneme Beach (Figure 1), depending on the construction schedule and construction equipment proposed by the contractor. Both nearshore nourishment and beach nourishment have been used by USACE in the past and are deemed to provide a source of sand for Hueneme Beach. Hueneme Beach experiences high rates of erosion and needs regular nourishment; therefore, nearshore or beach placement of the dredged material would maintain and improve the beneficial use of the beach and benefit the community and environment. If OHD and USACE construction schedules align, berth deepening may be coordinated with federal dredging to place the dredged material directly onto Beach Nourishment Placement Zone at Hueneme Beach. Direct beach placement would entail pumping dredged sediment along the existing rock seawall at the Beach Nourishment Placement Zone as a slurry while nearshore placement would entail transport of dredged sediment in split hull barges for placement in the Nearshore Placement Zone.
4. A sediment characterization study was conducted to assess sediment quality in Berths 1, 2 and 3 within Port Hueneme and to determine the suitability of the proposed dredged material for nearshore or beach nourishment. Sediment cores were collected on November 9 and 10, 2016 from the five sampling stations (OHD-01, OHD-02, OHD-03, OHD-04 and OHD-05) at Berths 1, 2 and 3 (Figure 2). Grain size analyses were conducted for each individual core sample. Sediment from each of the five core samples was combined into a single composite sample for chemical (metals and organics) analyses and bioassays. Sediment solid phase toxicity testing was conducted using the polychaete, *Neanthes arenaceodentata*, and the amphipod, *Eohaustorius estuaries*. Sediment suspended particulate phase toxicity testing was conducted using the bivalve larvae, *Mytilus galloprovincialis*. Bioaccumulation testing was conducted using the polychaete, *Neanthes virens*, and the bivalve, *Macoma nasuta*. Chemical analyses of tissue residues was conducted to determine the bioaccumulation potential of sediment contaminants. Receiving beach grab samples were collected on November 9, 10, 15, 16 and 17, 2016 from a total of 21 stations along three transects perpendicular to the shoreline at Hueneme Beach (Figure 3) and characterized via grain size analyses. The beach grab samples were not composited for grain size analyses. Instead, a grain size envelope was developed by plotting the coarsest and finest grain size gradation curves from the receiving beach. Sediment core samples were then plotted against the grain size envelope of the receiving beach to determine compatibility for nearshore or beach nourishment.
5. Grain size analyses show that sediment from Berths 1, 2 and 3 consisted primarily of sand (see Table 1) and was classified as silty sand or poorly graded sand with silt. Sediment from Hueneme Beach consisted primarily of sand as well and was classified as silt sand, poorly graded sand, or poorly graded sand with silt. The grain size distribution for Berths 1, 2 and 3 fit within the grain size envelope. Percent fines of the sediment samples collected from Berths 1, 2 and 3 were within 10% of the finest receiving beach grab samples. Overall, results from grain

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size analyses indicate that the dredged material from the proposed project is suitable for nearshore or beach nourishment. Results from chemical analyses of the composite sample (Table 2) show only a few effects range low (ERL) exceedances and no exceedance of effects range median (ERM) values.

6. Solid phase toxicity tests show that sediment from Berths 1, 2 and 3 was not acutely toxic to marine amphipods and polychaetes. Suspended particulate phase toxicity tests also showed no toxicity to bivalve larvae (i.e., calculated LC50 estimates all >100%). Results from bioaccumulation potential tests show that tissue residue concentrations were well below the U.S. Food and Drug Administration (FDA) action limits as well as the lowest relevant tissue residue effect levels in the Environmental Residue Effects Database (ERED), indicating that beach or nearshore nourishment of dredged material from the proposed project is very unlikely to cause impairment to marine organisms.
7. Based on the evaluation of grain size, chemistry, toxicity and bioaccumulation potential of the sediment samples, it is recommended that the dredged material be beneficially used to nourish Hueneme Beach. The U.S. Environmental Protection Agency (USEPA) has approved this proposed placement option and deemed the dredged material suitable for nearshore or beach nourishment.
8. USACE is processing a Clean Water Act Section 404 and Rivers and Harbors Act Section 10 permit for the Port Hueneme Berth Deepening and Wharf Improvement project with permit application number SPL-2017-00502-AJS. A final permit is expected to be issued after USACE receives the final Waste Discharge Requirements adopted by the Los Angeles Regional Water Quality Control Board.
9. On January 20, 2017, the Oxnard Harbor District (OHD) issued a draft Mitigated Negative Declaration (MND) for the Port of Hueneme Berth Deepening and Wharf Improvement Project in compliance with the California Environmental Quality Act (CEQA). The public comment period closed on February 19, 2017. OHD Board of Harbor Commissioners adopted the final Mitigated Negative Declaration for the project on March 13, 2017. A Notice of Determination for the MND was issued on March 15, 2017. The Regional Board is a responsible agency under CEQA and considered the MND in approving the Waste Discharge Requirements contained in this Order. Impacts on water quality were evaluated in the MND and found to be less than significant, and mitigation would not be required. However, OHD proposed to implement several best management practices (BMPs) to control potential runoff of soils and pollutants from construction activities and from potential spills.

APPLICABLE PLANS, POLICIES AND REGULATIONS

10. The following plans, policies and regulations apply to the discharges authorized by this Order to protect waters of the state.
11. Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) - On June 13, 1994, the Regional Board adopted a revised Basin Plan. The Basin Plan: (i) designates beneficial uses for surface and groundwater, (ii) establishes narrative and numeric water quality objectives that must be attained or maintained to protect

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the designated beneficial uses, and (iii) sets forth implementation programs to protect the beneficial uses of the waters of the state. The Basin Plan also incorporates State Water Board Resolution 68-16, Anti-degradation Policy. The Basin Plan has been amended occasionally since 1994. In accordance with Water Code section 13263, this Order implements the plans, policies and provisions of the Regional Board's Basin Plan.

The beneficial uses of Port Hueneme (Harbor) include: industrial service supply, navigation, commercial and sport fishing, marine habitat, wildlife habitat, water contact recreation, and non-contact water recreation.

12. State Water Board Resolution No. 68-16 "Statement of Policy with Respect to Maintaining High Quality of Waters in California" (also called the "Anti-degradation Policy") requires the Regional Board, in regulating the discharge of waste, to maintain the high quality of waters of the state until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the State Water Board's policies (e.g., quality that exceeds water quality objectives). Further, any activity that produces waste must meet waste discharge requirements that will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.
13. Consistent with Resolution 68-16, this Order requires best practicable treatment or control of the discharge to assure that pollution will not occur. With proper management of the dredging and disposal operations, in compliance with this Order, the project is not expected to release significant levels of wastes to the Port Hueneme waters or other State waters nor adversely impact beneficial uses.

The Regional Board has notified OHD and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for this discharge and has provided them with an opportunity to submit written comments and make oral comments at a public meeting.

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.

Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with California Water Code Section 13320 and California Code of Regulations, title 23, Sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

IT IS HEREBY ORDERED that the Oxnard Harbor District, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act as amended, and regulations and guidelines adopted thereunder, shall comply

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with the following:

A. Discharge Requirements

1. The removal and placement of dredged/excavated material shall be managed such that the concentrations of toxic pollutants in the water column, sediments or biota shall not adversely affect beneficial uses, in particular those identified in Finding number 11 above.
2. Enclosed bay and estuarine communities and populations, including vertebrate, invertebrate and plant species, shall not be degraded as a result of the discharge of waste.
3. The natural taste and odor of fish, shellfish or other enclosed bay and estuarine resources used for human consumption shall not be impaired as a result of the discharge of waste.
4. Toxic pollutants shall not be discharged at levels that will bioaccumulate in aquatic resources to levels which are harmful to human health.
5. There shall be no acute toxicity or chronic toxicity in ambient waters as a result of the discharge of waste.
6. OHD shall conduct the monitoring required and comply with the reporting requirements outlined in the attached Monitoring and Reporting Program, which is incorporated by reference as part of these Waste Discharge Requirements.
7. Dredging, excavation or disposal of dredge spoils shall not cause any of the following conditions in the receiving waters:
 - a. The formation of sludge banks or deposits of waste origin that would adversely affect the composition of the bottom fauna and flora, interfere with the fish propagation or deleteriously affect their habitat, or adversely change the physical or chemical nature of the bottom.
 - b. Turbidity that would cause substantial visible contrast with the natural appearance of the water outside the construction project boundary.
 - c. Discoloration outside the construction project boundary.
 - d. Visible material, including oil and grease, either floating on or suspended in the water or deposited on beaches, shores, or channel structures outside the construction project boundary.
 - e. Objectionable odors emanating from the water surface.
 - f. Depression of dissolved oxygen concentrations below 5.0 mg/l at any time

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outside the construction project boundary.

- g. Any condition of pollution or nuisance.

B. Provisions

1. This Order authorizes excavation and dredging of a maximum volume of 28,500 cubic yards of material from Port Hueneme Berths 1, 2 and 3 and disposal of the dredged material in the Nearshore Placement Zone or the Beach Nourishment Placement Zone at the Hueneme Beach.
2. OHD shall notify the Regional Board immediately by telephone of any adverse conditions in receiving waters or adjacent areas resulting from the removal of dredge materials; written confirmation by OHD to the Regional Board shall follow within one week.
3. A copy of this Order shall be made available at all times on-site to project construction personnel.
4. OHD shall provide the following information to the Regional Board:
 - a. A copy of the final permit issued by USACE for the dredge and disposal operations.
 - b. The scheduled date of commencement of each dredging operation and an engineering plan and profile of the excavation and the disposal site at least two weeks prior to commencement.
 - c. Notice of termination of the operation, within one week following the termination date.
5. OHD shall submit, under penalty of perjury, technical reports to the Regional Board in accordance with the Monitoring and Reporting Program.
6. In accordance with Water Code section 13260(c), OHD shall file a report of any material change or proposed change in the character, location, or volume of the waste.
7. This Order does not exempt OHD from compliance with any other laws, regulations, or ordinances which may be applicable. Any further restraint on the disposal of wastes at this site, which may be contained in other statutes or required by other agencies, also remains unaffected.
8. In accordance with Water Code section 13263(g), this Order shall not create a vested right to continue to discharge and is subject to rescission or modification. All discharges of waste into waters of the State are privileges, not rights.

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9. This Order includes Attachment N: "Standard Provisions, General Monitoring and Reporting Requirements" ("Standard Provisions") and the attached Monitoring and Reporting Requirements, both of which are incorporated herein by reference. If there is any conflict between provisions stated hereinbefore and said "Standard Provisions", those provisions stated hereinbefore prevail. If there is any conflict between requirements stated in the attached Monitoring and Reporting Program and said "Standard Provisions", the former shall prevail.
10. This Order fulfills the requirements for a Clean Water Act Section 401 Water Quality Certification for the proposed project. Pursuant to section 3860 of title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:
 - a. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and Article 6 (commencing with 23 CCR section 3867);
 - b. This certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought;
 - c. This certification is conditioned upon total payment of any fee required pursuant to 23 CCR division 3, chapter 28, and owed by the applicant.
11. This Order shall expire on December 31, 2019.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on May 10, 2018.

SAMUEL UNGER, P.E.
Executive Officer

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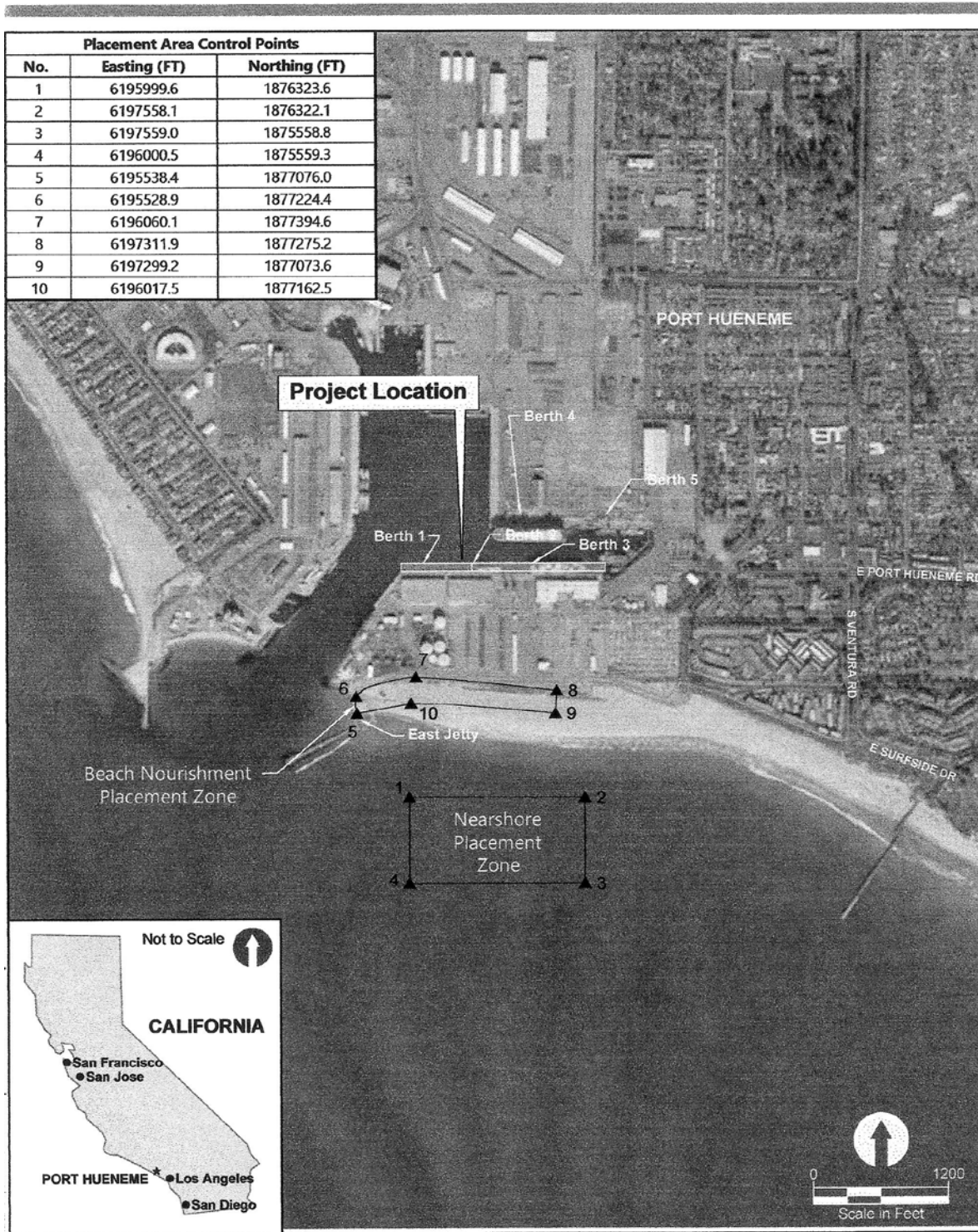
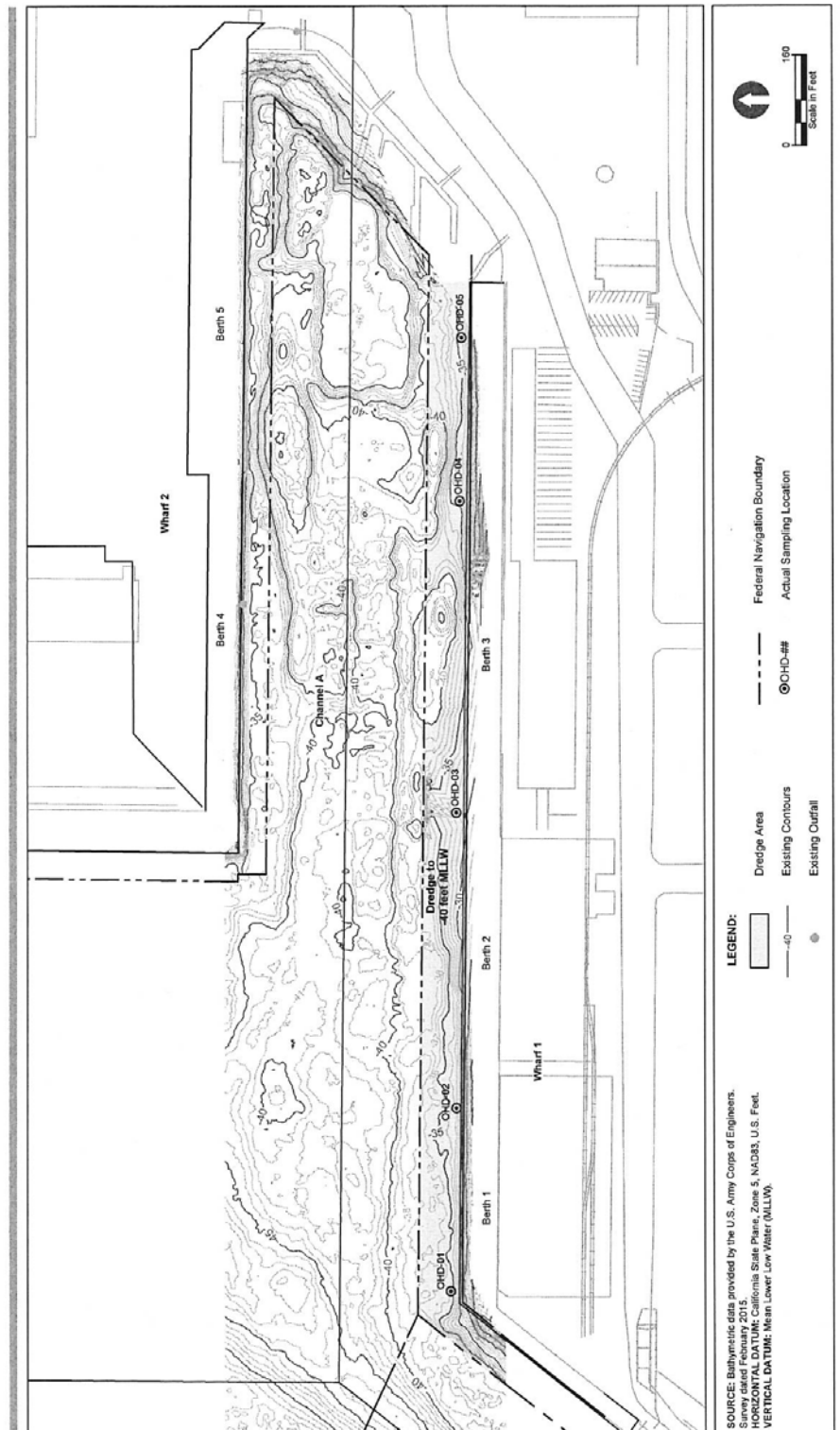
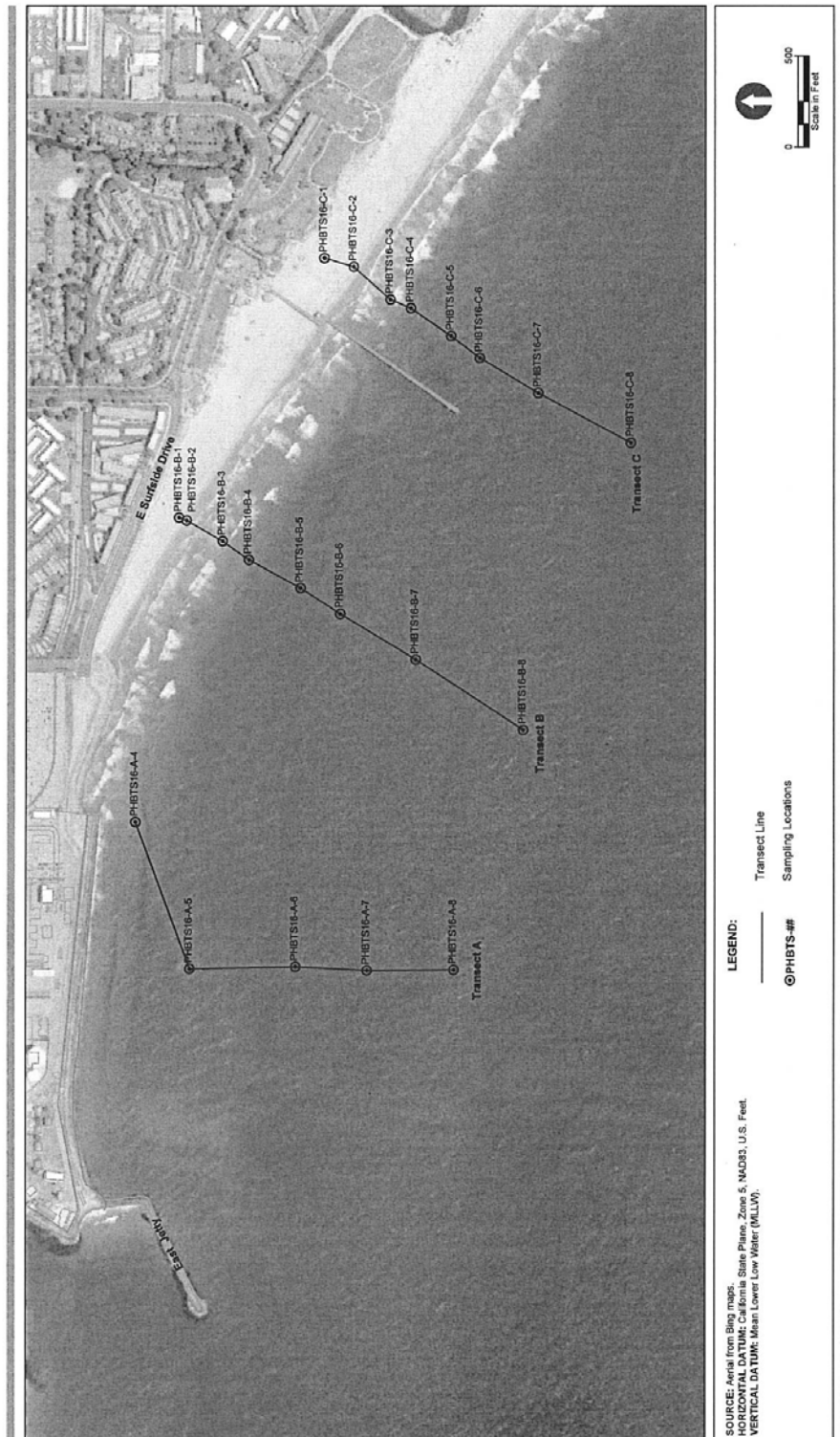


Figure 1. Locations of Proposed Project at Port Hueneme



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Figure 2. Locations of Sediment Core Collection at Berths 1, 2 and 3, Port Hueneme.



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Figure 3. Locations of Grab Sediment Collection at Hueneme Beach.

Table 1. Results from Grain Size Analyses

Sediment Content	Berths 1, 2 and 3 Sediment Composite
Gravel	1.6%
Sand	76.3%
Fines	22.1%

Table 2. Results from Chemical Analyses

Analyte	Berths 1, 2 and 3 Sediment Composite	Screening Threshold 1 (ERL)	Screening Threshold 2 (ERM)
Metals (mg/kg)			
Arsenic	2.81	8.2	70
Cadmium	0.396	1.2	9.6
Chromium	7.43	81	370
Copper	5.77	34	270
Lead	2.89	46.7	218
Nickel	8.09	20.9	51.6
Selenium	0.468	N/A	N/A
Silver	0.0392	1.0	3.7
Zinc	29.8	150	410
Mercury	0.0311	0.15	0.71
Chlorinated Pesticides (µg/kg)			
4,4'-DDD	4.7	2	20
4,4'-DDE	3.4	2.2	27
Total DDTs	10.17	1.58	46.1
Semi-Volatile Organics (µg/kg)			
2-Methylnaphthalene	<2.9	70	670
Acenaphthene	<12	16	500
Acenaphthylene	15	44	640
Anthracene	44	85.3	1100
Benzo (a) Anthracene	66	261	1600
Benzo (a) Pyrene	180	430	1600
Chrysene	99	384	2800
Dibenz (a,h) Anthracene	32	63.4	260
Fluoranthene	110	600	5100
Fluorene	15	19	540
Naphthalene	7.2	160	2100
Phenanthrene	51	240	1500
Pyrene	570	665	2600
Low molecular weight PAH	144.2	552	3160
High molecular weight PAH	1590	1700	9600
Total PAHs	1734.2	4022	44792
PCBs (µg/kg)			
Total PCBs	43.15	22.7	180

ERL = effects range low; ERM = effects range median

DDD = dichloro-diphenyl-dichloroethane; DDE = dichloro-diphenyl-dichloroethylene;

DDT = dichloro-diphenyl-trichloroethane;

PAHs = polycyclic aromatic hydrocarbons; PCBs = polychlorinated biphenyls

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