



GAVIN NEWSOM  
GOVERNOR



JARED BLUMENFELD  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Los Angeles Regional Water Quality Control Board

January 25, 2019

Mr. Richard W. Parsons  
Dredging Program Manager  
City of Ventura  
501 Poli Street  
P.O. Box 99  
Ventura, CA 93002-0099

### TENTATIVE CLEAN WATER ACT SECTION 401 CERTIFICATION AND RENEWAL OF WASTE DISCHARGE REQUIREMENTS VENTURA KEYS MAINTENANCE DREDGING (FILE NO. 97-127)

Dear Mr. Parsons,

We have completed our review of your application to this Board for the renewal of waste discharge requirements (WDRs) for your proposed discharge of wastes. Enclosed are copies of tentative Clean Water Act Section 401 Certification and WDRs (with Attachment A Standard Provisions) as well as a receiving water monitoring and reporting program (MRP) for dredging and disposal of dredged material from the Ventura Keys Maintenance Dredging Project, Ventura Keys, Ventura County.

In accordance with the California Water Code, this Board, at a public meeting to be held on March 14, 2019, at 9:00 a.m., at the Port of Long Beach Board Room, located at 4801 Airport Plaza Dr., Long Beach 90815, California, will consider the enclosed tentative requirements and comments submitted in writing regarding any or all portions thereof. The Board will hear any testimony pertinent to these discharges and the tentative requirements. It is expected that the Board will take action at the hearing; however, as testimony indicates, the Board at its discretion may order further investigation.

Written comments and any exhibits must be submitted to the Executive Officer no later than February 25, 2019. Failure to comply with this requirement provides grounds for the Regional Board to refuse to admit the proposed written comment or exhibit into evidence (Title 23 CCR Section 648.2). If materials are not submitted in a timely matter, the Regional Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of written testimony or exhibits not timely submitted, the Regional Board may refuse to admit it.

Should you have any questions, please telephone me at (213) 576-6681 or email me at [jun.zhu@waterboards.ca.gov](mailto:jun.zhu@waterboards.ca.gov).

IRMA MUÑOZ, CHAIR | DEBORAH SMITH, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | [www.waterboards.ca.gov/losangeles](http://www.waterboards.ca.gov/losangeles)

Sincerely,



Jun J. Zhu, Ph.D.  
Senior Environmental Scientist  
Enclosures

Tentative 401 Certification and Waste Discharge Requirements  
Tentative Monitoring and Reporting Program

cc: Elizabeth Payne, Water Quality Certification Unit, SWRCB  
Tamarin Austin, Office of Chief Counsel, SWRCB  
Larry Simon, California Coastal Commission  
Szijj, Antal, U.S. Army Corps of Engineers  
Jerry Hidalgo, U.S. Army Corps of Engineers  
Allan Ota, U.S. Environmental Protection Agency  
Melissa Scianni, U.S. Environmental Protection Agency  
Carol Roberts, U.S. Fish and Wildlife Service  
Bryan Chesney, National Marine Fisheries Service  
William Paznokas, California Department of Fish and Wildlife  
Annalisa Moe, Heal the Bay  
Richard Parsons, City of Ventura



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

ORDER NO. R4-2019-xxxx

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND RENEWAL OF  
WASTE DISCHARGE REQUIREMENTS  
FOR  
CITY OF SAN BUENAVENTURA  
(VENTURA KEYS MAINTENANCE DREDGING)  
(FILE NO. 97-127)

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds:

1. On April 25, 2018, the City of San Buenaventura (the City) filed an application on April 25, 2018 for renewal of the waste discharge requirements (WDRs) contained in Regional Board Order No. R4-2013-0142, adopted on September 12, 2013, for routine maintenance dredging operations within the Ventura Keys, a waterfront residential community adjacent to the Ventura Harbor in the City and County of Ventura (Figure 1). On July 12, 2018, Order No. 2013-0142-A01 was adopted by the Board extending the expiration date of Order No. 2013-0142 from June 30, 2018 to December 31, 2018. This Order renews the WDRs and provides water quality certification pursuant to Clean Water Act (CWA) section 401.

The Ventura Keys are located on the California coast, approximately 55 miles northwest of Los Angeles, within the City limits of Ventura, Ventura County. The Ventura Keys waterways encompass an area of 32 acres and consist of three channels oriented in a general north-south alignment (Channels 1, 2 and 3) and a larger Connecting Channel to the south that interconnects the other three channels and provides a link to the Ventura Harbor (Figure 2). The 13.5 acres of actual channel area have existing depths between -8 and -16 Mean Lower Low Water (MLLW). Shoaling in the Ventura Keys results from accumulation of sediments transported into the area from the Arundell Barranca, a major storm drain system, and from 26 smaller storm drains. Dredging is required to maintain channel configurations and to restore and ensure safe navigability within the Ventura Keys waterways.

Order No. R4-2013-0142 authorized the City to dredge up to 200,000 cubic yards of sediment over a five-year period and limited the average annual dredged volume to less than or equal to 100,000 cubic yards. Over the past 25 years, the Ventura Keys waterways have been dredged six times, removing 269,179 cubic yards of sediment. The episodic nature of the need to dredge the Ventura Keys waterways is directly related to the occurrence of major rainfall events within the local watershed. The most recent dredging operation was completed in 2016. Due to the relatively dry conditions that have persisted over the past five years, only a small dredging effort was made to remove 1427 cubic yards of sediment that had accumulated at the mouth of the Arundell Barranca in the Connecting Channel on March 9, 2016.

Order No. R4-2013-0142 also authorized use of three alternatives for disposal of the dredged material: 1) into nearshore waters near the mouth of the Santa Clara River; 2) within the surf

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zone at the mouth of the Santa Clara River; or 3) in the surf zone at Cell 1 of the Pierpont Bay Groin Field (the first cell north of Marina Park).

Disposal options 1 and 2 (into nearshore waters near the mouth of the Santa Clara River or into the surf zone at the mouth of the Santa Clara River) would only occur when the Santa Clara River is flowing at a rate of 100 cubic feet per second or greater, in which case the dredged material would be rapidly dispersed by the currents and the river discharge flow, and some fraction of the coarse-grained material could contribute to beach replenishment at a nearby sand-depleted beach. Disposal option 3 (into Cell 1 of the Pierpont Bay Groin Field) would occur when the dredged material contains 65% or more coarse-grained material (i.e., retained on a number 200 sieve), in which case this coarse material would contribute to beach replenishment at a nearby sand-depleted beach. If disposal option 1 is employed, the dredged material would be barged to the area just south of the mouth of the Santa Clara River and deposited in waters no deeper than -30 feet MLLW. If disposal option 2 or 3 is employed, a discharge pipe would extend from the dredge site, through the harbor waters with a combination of floating and submerged pipe, and along the beach seaward of the existing sand dunes, to either the mouth of the Santa Clara River or Cell 1 of the Pierpont Groin Field. The dredging and disposal operations would not commence until after Labor Day in September of a given year and would cease on or before March 15<sup>th</sup> of the following year in order to avoid impacts on grunion spawning, least tern and snowy plover nesting, and recreational use of the beach.

2. Pursuant to Order No. R4-2013-0142, the City and its consulting firm, Applied Environmental Technologies Inc. conducted sediment sampling at four locations within the Ventura Keys on December 15, 2015 to assess trace metal and trace organic concentrations, including analysis of sediment toxicity, to verify the suitability of sediments for disposal as proposed (Figure 3). The sampling locations were spaced throughout the Connecting Channel where shoaling was most prominent with the Ventura Keys. One sediment core was collected at each of the four sampling locations and the sediment samples were then combined into a single composite sample for subsequent chemical analyses. As shown in Table 1, none of the contaminant levels exceeded the effects range median (ERM) screening thresholds at or above which adverse biological effects would frequently occur. However, the concentrations of certain analytes, such as copper and nickel, exceeded the effects range low (ERL) screening thresholds at or above which adverse biological effects could occasionally occur. As a result, biological analyses were conducted, including suspended-particulate phase toxicity testing, solid phase toxicity testing and bioaccumulation potential testing. The suspended particulate phase testing was conducted using bivalve larvae, *Mytilus Galloprovincialis*, fish larvae, *Menidia beryllina*, and mysid shrimp, *Mysidopsis bahia*. The solid phase toxicity testing was conducted using amphipod, *Ampelisca abdita*, and polychaeta worm, *Nephtys caecoides*. Bioaccumulation potential testing included two exposure tests and follow-up tissue analyses using polychaeta, *Nephtys caecoides*, and clam, *Macoma nasusta*. No toxicity was observed in either suspended particulate phase toxicity testing or solid phase toxicity testing. Bioaccumulation testing also showed 100% survival in both tests. Findings for both bioaccumulation exposure tests and tissue analyses indicate that there was no apparent difference between those organisms in control conditions versus those in testing sediment conditions. Therefore, the chemical concentrations measured in sediments collected from the Ventura Keys are not likely to cause adverse biological effects. The findings from this sediment characterization study indicated that no adverse biological effects were

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expected to occur from the dredged material from the Ventura Keys disposed of in the three disposal locations authorized in Order No. R4-2013-0142.

A more recent sediment characterization study was conducted by the City and its consulting firm, Rincon Consultants Inc. on October 4, 2018. The sampling locations were once again spaced throughout the Connecting Channel where shoaling was most prominent with the Ventura Keys (Figure 4). One sediment core was collected at each of the four sampling locations and sediment samples were then combined into a single composite for subsequent chemical analyses. As shown in Table 1, similar to the findings from the 2015 sediment characterization study, none of the contaminant levels exceeded the ERM screening thresholds although the concentrations of certain analytes, such as copper and nickel, did exceed the ERL screening thresholds, consistent with the levels reported in 2015. The pesticide DDT and its derivatives DDD and DDE were detected well below the ERM screening thresholds and were consistent with the concentrations reported in the 2015 sediment characterization study as well as in previous studies in 2009 and 2012. As a result, it was concluded that the chemical concentrations measured in the sediments collected from the Ventura Keys Connecting Channels area are not considered significant and no adverse biological effects were expected to occur from the dredged material from the Ventura Keys disposed of in the three disposal locations authorized in Order No. R4-2013-0142.

Grain size analysis for both studies showed that sediments collected from the Ventura Keys were predominantly silt and clay, which is consistent with those discharged by the Santa Clara River. It was concluded that sediments dredged from the Ventura Keys Connecting Channel area could be placed near the river mouth without causing a long-term alteration of the grain size distributions in the area of the river mouth or affect biological assemblages.

3. The City estimates that approximately 250,000 cubic yards of material could accumulate in the Ventura Keys waterways over the next five years and may require removal via maintenance dredging. Consequently, the City proposes to dredge and dispose of an average of 50,000 cubic yards of sediment per year over the next five years. However, to provide operational flexibility, the City proposes to dredge up to a maximum volume of 100,000 cubic yards in any one calendar year, but not to exceed 250,000 cubic yards over five years. In the past, the maximum volume dredged over a five-year period has been approximately 200,000 cubic yards; therefore, this Order limits the cumulative five-year total to 200,000 cubic yards.

The Connecting Channel (Figure 5) would be dredged as needed to restore water depths to  $-15 \pm 2$  feet MLLW. The Connecting Channel currently contains approximately 14,000 cubic yards of shoaled sediments and is expected to require dredging twice or three times over the next ten-year period. Dredging is usually accomplished with a cutterhead hydraulic pipeline dredge and generally requires 10 to 30 days for completion per dredging episode. The portion of the Connecting Channel in the vicinity of the mouth of the Arundell Barranca may require more frequent dredging, which could be accomplished with a mechanical clamshell (either floating or shore-based).

Channels 1, 2 and 3 (Figure 5) would be dredged as needed to restore water depths to  $-12 \pm 2$  feet MLLW. These channels currently contain approximately 45,000 of shoaled sediments and

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are expected to require dredging once or twice over the next ten-year period. Dredging is usually accomplished with a cutterhead hydraulic pipeline dredge and generally requires 30 to 60 days for completion per dredging episode.

4. The City has proposed to retain two disposal locations authorized in the existing Order:
  - 1) San Clara River Mouth Surf Zone (Figure 6) – Dredged material from the Ventura Keys may be deposited in the surf zone no closer than 300 ft. from the mouth of the Santa Clara River when the river is flowing at 100 cubic feet per second (cfs) or greater in order for the dredged material to be rapidly dispersed by the currents and the river flow discharge.
  - 2) Pierpont Groin Field Cell 1 Surf Zone (Figure 7) – In order to provide replenishment material for the Cell 1 of the Pierpont Groin Field, dredged material from the Ventura Keys, if composed of more than 65% coarse-grained material, may be deposited in the surf zone for beach replenishment purposes.
5. The United States Army Corps of Engineers has issued a public notice (SPL-2007-872-GLH) to renew the existing permit for Ventura Keys Maintenance Dredging and provided a comment period from October 25, 2018 to November 25, 2018. The permit is expected to be renewed in a timely fashion subsequent to adoption of these WDRs/water quality certification by the Regional Board.
6. The California Coastal Commission approved a Coastal Development Permit (No. 4-18-0390) to cover maintenance dredging of the Ventura Keys on October 10, 2018. The permit expires on October 10, 2028.
7. The City of Ventura, as the lead agency carrying out the project, will be responsible for environmental review under, and documentation of its compliance with, the California Environmental Quality Act (CEQA), including notification to responsible agencies. The Regional Board is a responsible agency under CEQA and will participate in the environmental evaluation of each proposed maintenance project. Impacts on water quality will be evaluated during the required pre-dredge sediment and elutriate testing. Furthermore, compliance with the Monitoring and Reporting Program contained within this Order will ensure that no significant water quality impacts occur during dredging operations.
8. The Water Quality Control Plan for the Los Angeles Region (Basin Plan) designates the beneficial uses of the Ventura Keys and the Ventura County coastal nearshore and offshore waters and establishes water quality objectives for the protection of those uses. The requirements contained in this Order implement the Basin Plan.

The beneficial uses of the Ventura Keys waters are: navigation, water contact recreation, non-contact water recreation, commercial and sport fishing, marine habitat, and wildlife habitat. The beneficial uses of the Ventura County coastal nearshore and offshore waters are: industrial service supply, navigation, water contact recreation, non-contact water recreation, commercial and sport fishing, marine habitat, wildlife habitat, preservation of rare and endangered species, migration of aquatic organisms, spawning, reproduction and/or early development of aquatic

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organisms, and shellfish harvesting.

9. With proper management of the dredging and disposal operations, as proposed by the City and as conditioned in this Order, the project is not expected to release significant levels of contaminants to the waters within the Ventura Keys or other State waters nor adversely impact beneficial uses.
10. The Regional Board has notified the City and interested agencies and persons of its intent to prescribe Waste Discharge Requirements and provide water quality certification for this discharge and has provided them with an opportunity to submit their written comments.
11. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.
12. Any aggrieved person may petition the State Water Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be received by the State Water Board at the following address within 30 calendar days of the Regional Water Board's action:

State Water Resources Control Board  
Office of Chief Counsel  
P.O. Box 100, 1001 I Street  
Sacramento, CA 95812-0100

For instructions on how to file a petition for review, see:

<[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/wqpetition\\_instr.shtml](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml)>

IT IS HEREBY ORDERED that the City of San Buenaventura, 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 with the following conditions and requirements:

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 existing and designated beneficial uses, including those identified in Finding number 9 above.
2. Marine and 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 marine and enclosed bay and estuarine resources used for human consumption shall not be impaired as a result of the discharge of waste.

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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. 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 immediate area of operation.
  - c. Discoloration outside the immediate area of operation.
  - 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 immediate area of operation.
  - e. Objectionable odors emanating from the water surface.
  - f. Depression of dissolved oxygen concentrations below 5.0 milligrams per liter at any time outside the immediate area of operation.
  - g. Any condition of pollution or nuisance.

B. Provisions

1. Dredging and disposal shall be limited to a maximum volume of 200,000 cubic yards of sediment over a five-year period. The average annual volume shall not exceed 100,000 cubic yards of sediment. Dredging and disposal operations shall not commence until after Labor Day in September of a given year and shall cease on or before March 15<sup>th</sup> of the following year.
2. The City shall dispose of dredged material at one of the following authorized disposal locations.
  - a. The City may dispose of dredged material for beach replenishment purposes into Cell 1 of the Pierpont Bay Groin Field provided that the material is composed of sediment that contains 65% or more coarse-grained material (i.e., retained on a number 200 sieve) and the dredged material does not contain elevated concentrations of trace metals or trace organics.
  - b. The City may dispose of dredged material in the surf zone or nearshore waters no closer than 300 feet from the mouth of the Santa Clara River provided that the river is flowing at a rate of 100 cubic feet per second or greater and the dredged material does not contain elevated concentrations of trace metals or trace organics.

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3. The City shall conduct a sediment characterization study within the Ventura Keys Connection Channel at a minimum of once every three years to verify the suitability of sediments for disposal as proposed. The next sediment characterization study shall occur no later than the end of 2021. A sediment characterization study shall also be completed prior to any dredging in Channels 1, 2 or 3. The sampling and analysis plan and report for each of the sediment characterization studies shall be submitted to the Southern California Dredged Material Management Team (DMMT) and Regional Board staff for review. No dredging or disposal operations may occur without written approval from the Executive Officer.
4. The City shall conduct the monitoring required and comply with the reporting requirements outlined in the attached Monitoring and Reporting Program, which is part of these Waste Discharge Requirements and a condition of water quality certification.
5. The City shall notify this 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 the City to the Regional Board shall follow within one week.
6. This Order does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a "take" will result from any act authorized under this Order, the City must obtain authorization for the take prior to any construction or operation of the portion of the Project that may result in a take. The City is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Order.
7. A copy of this Order shall be made available at all times to project construction personnel.
8. The City shall provide the following information to the Regional Board:
  - a. 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.
  - b. Notice of termination of the operation, within one week following the termination date.
9. The City shall submit, under penalty of perjury, technical reports to the Regional Board in accordance with any specifications directed by the Executive Officer.
10. In accordance with section 13260(c) of the Water Code, the City shall file a report of any material change or proposed change in the character, location, or volume of the waste.
11. These requirements do not exempt the City from compliance with any other laws, regulations, or ordinances which may be applicable, and they leave unaffected any

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further restraint on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.

12. In accordance with Water Code section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification. All discharges of waste into waters of the State are privileges, not rights.
13. This Order includes Attachment A: "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.
14. This Order certifies, pursuant to Clean Water Act Section 401 Water Quality Certification, that the proposed project, as conditioned by this Order complies with the applicable provisions of Clean Water Act sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards). 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.
15. This Order shall expire on March 31, 2024.
16. This Order terminates Regional Board Order No. R4-2013-0142, except for enforcement purposes.

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I, Deborah J. Smith, 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 March 14, 2019.

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DEBORAH J. SMITH  
Executive Officer

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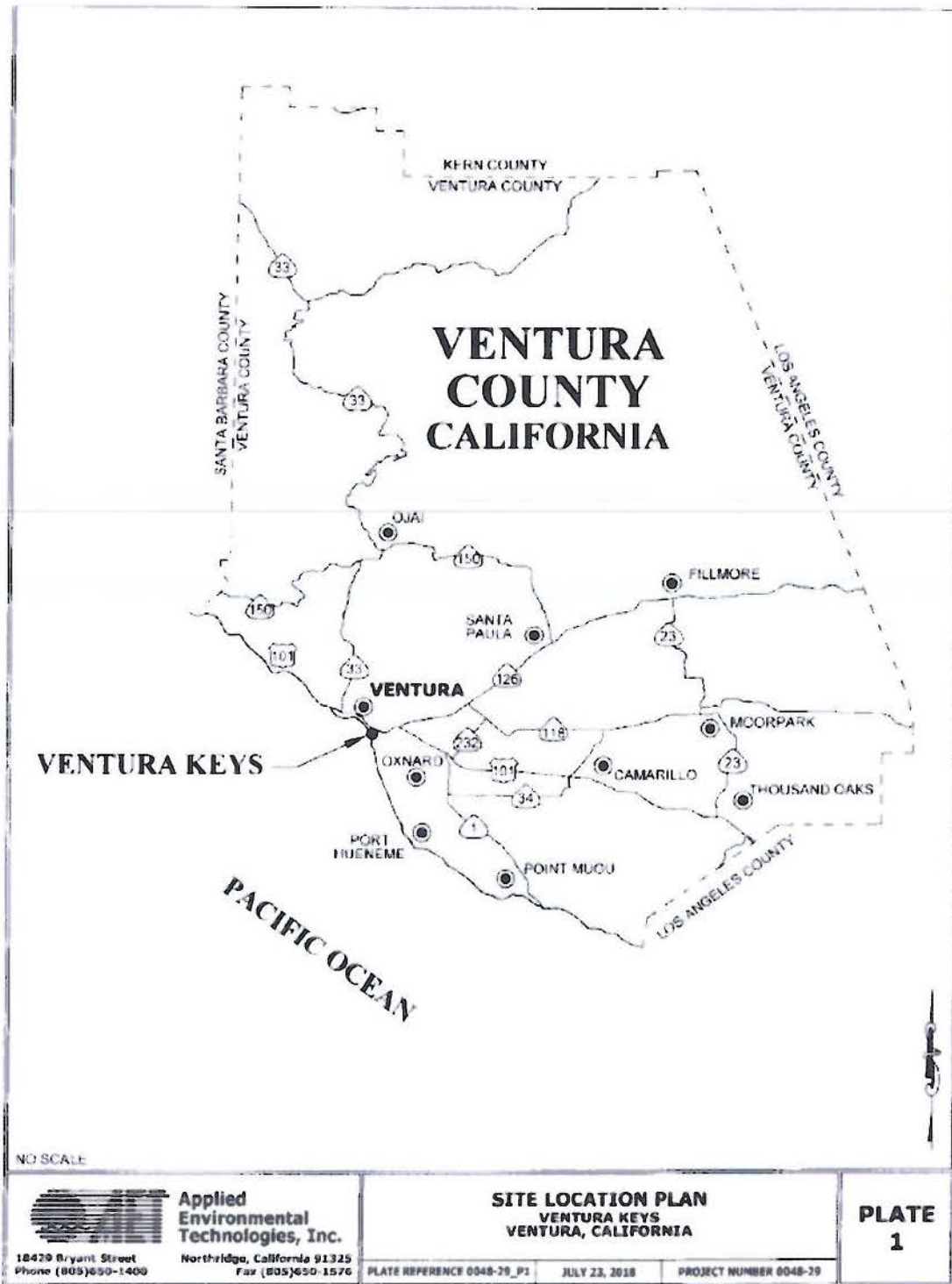
Table 1. Results from Sediment Chemical Analysis.

Analyte	2018 Composite Sample	2015 Composite Sample	Screening Threshold 1 (ERL)	Screening Threshold 2 (ERM)
<b>Metals (mg/kg)</b>				
Arsenic	7.01	6.32	8.2	70
Cadmium	0.59	0.66	1.2	9.6
Chromium	26.4	27.5	81	370
Copper	41.4	52.7	34	270
Lead	13.5	15.6	46.7	218
Nickel	34.5	31.5	20.9	51.6
Selenium	ND	0.52	NA	NA
Silver	0.67	ND	1.0	3.7
Zinc	109	134	150	410
Mercury	ND	ND	0.15	0.71
<b>Chlorinated Pesticides (µg/kg)</b>				
Total DDTs	ND	18.3	1.58	46.1
<b>Semi-Volatile Organics (µg/kg)</b>				
2-Methylnaphthalene	ND	ND	70	670
Acenaphthene	ND	ND	16	500
Acenaphthylene	ND	ND	44	640
Anthracene	ND	53	85.3	1100
Benzo (a) Anthracene	18	180	261	1600
Benzo (a) Pyrene	21	140	430	1600
Chrysene	30	250	384	2800
Dibenz (a,h) Anthracene	ND	24	63.4	260
Fluoranthene	49	500	600	5100
Fluorene	ND	ND	19	540
Naphthalene	ND	ND	160	2100
Phenanthrene	21	350	240	1500
Pyrene	44	430	665	2600
Total PAHs	346	3100	4022	44792
<b>PCBs (µg/kg)</b>				
Total PCBs	ND	ND	22.7	180

NA = no data available;  
 ND = non-detect;  
 DDE = dichloro-diphenyl-dichloroethylene;  
 DDT = dichloro-diphenyl-trichloroethane;  
 PAHs = polycyclic aromatic hydrocarbons;  
 PCBs = polychlorinated biphenyls;  
 ERL = effects range low;  
 ERM = effects range median

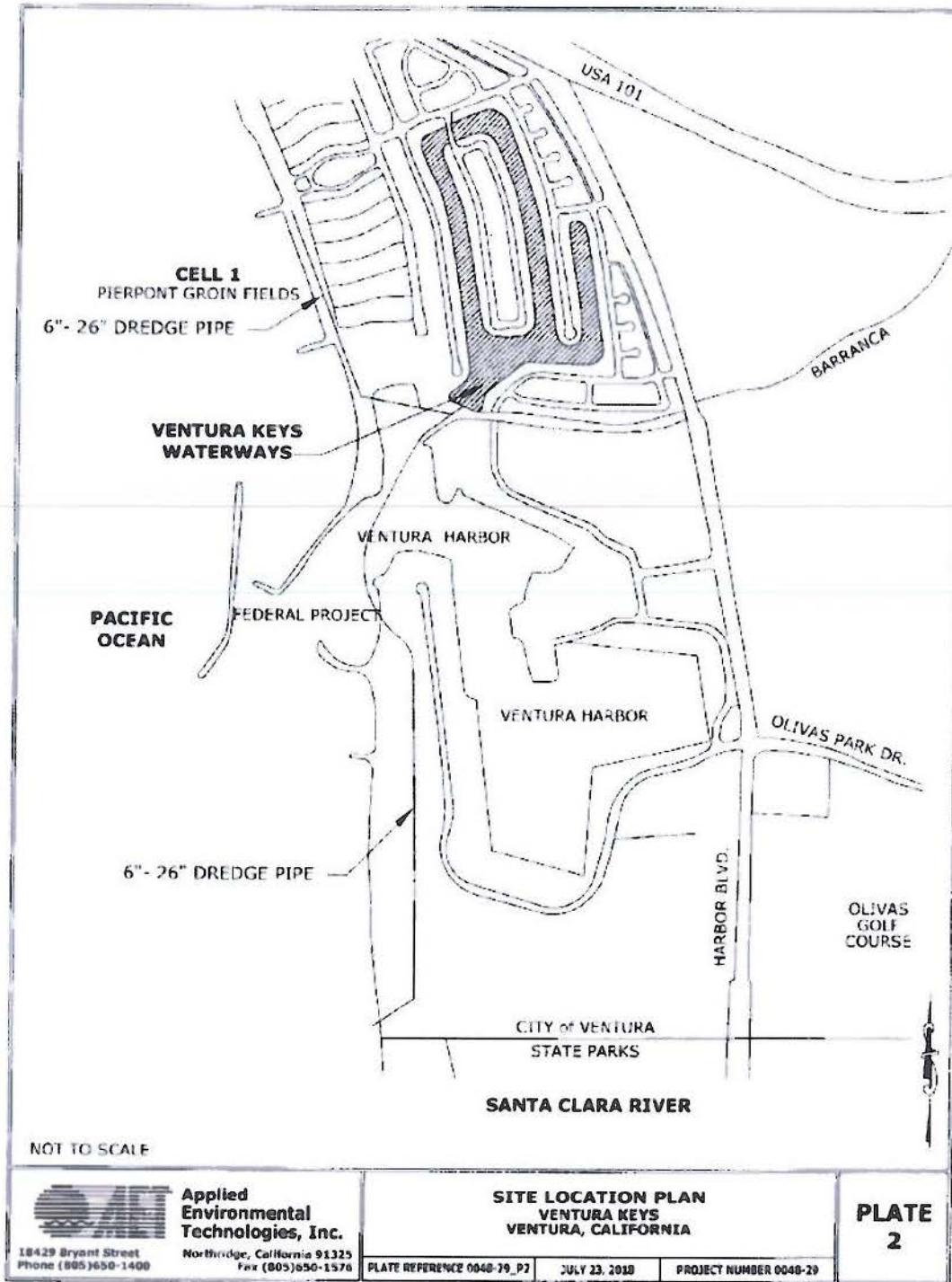
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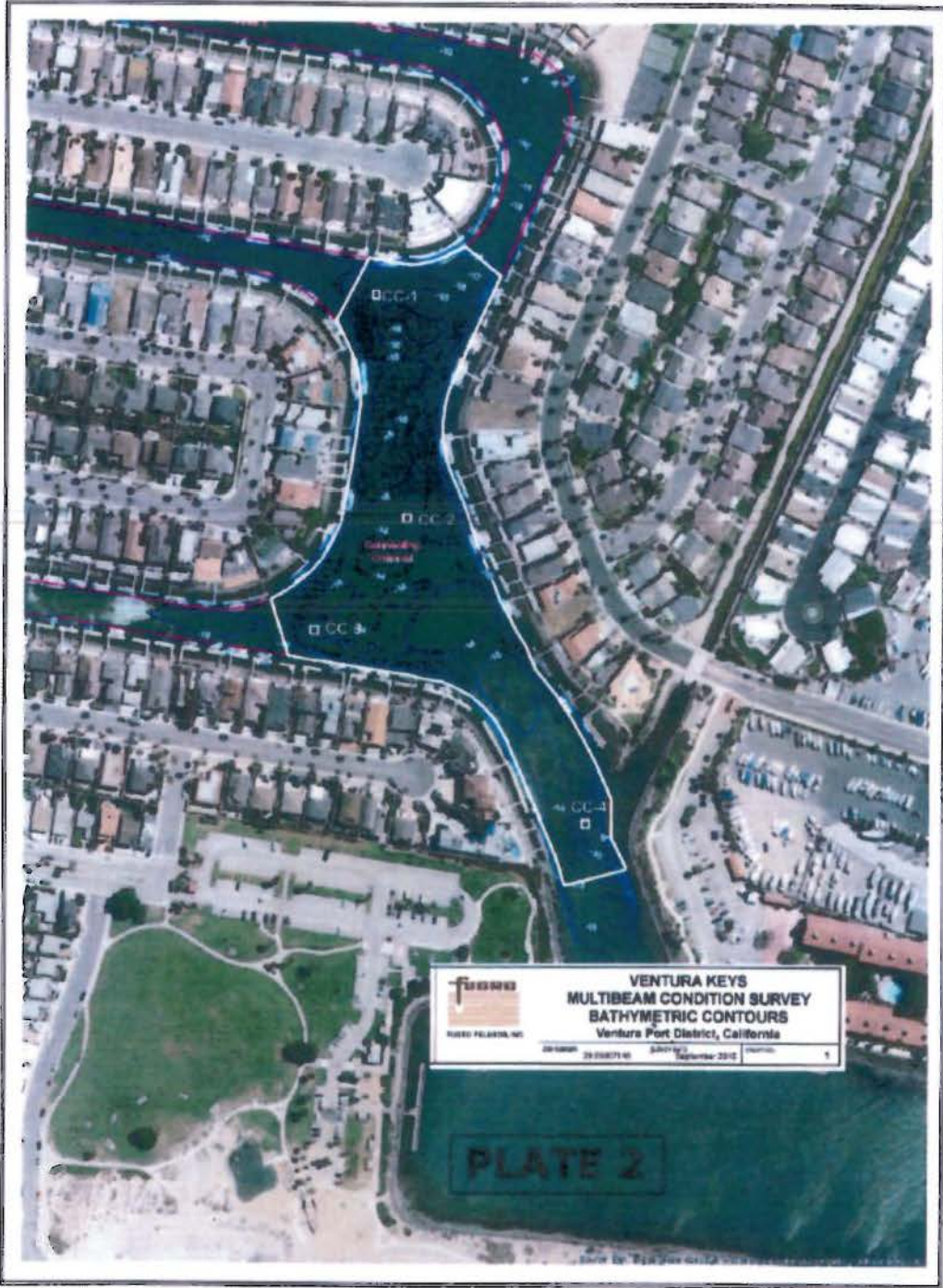
Figure 1. Location of Ventura Keys, Ventura County, California.



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Figure 2. Location of Ventura Keys Waterways.





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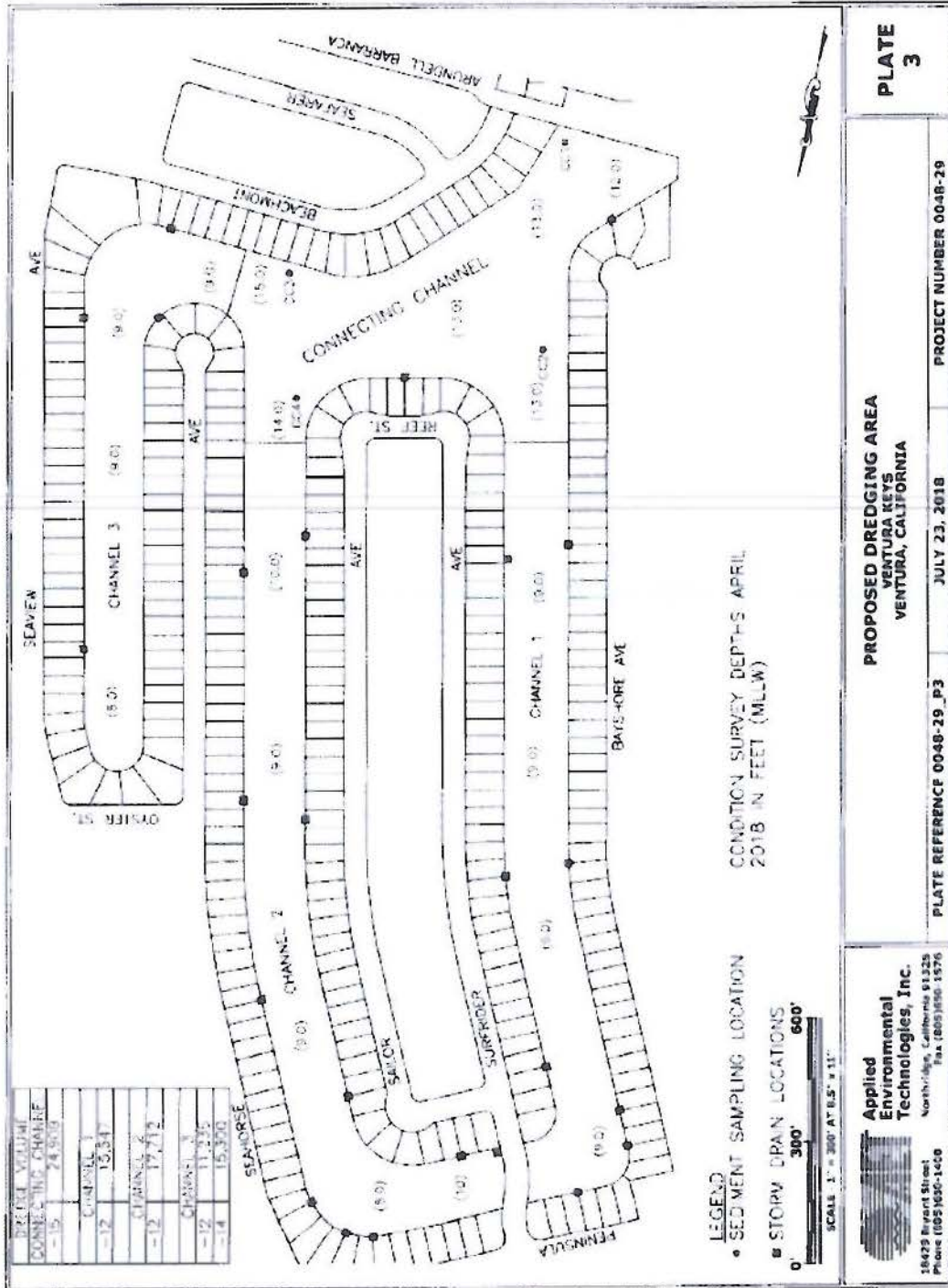
Figure 3. 2015 Sampling Locations within the Ventura Keys



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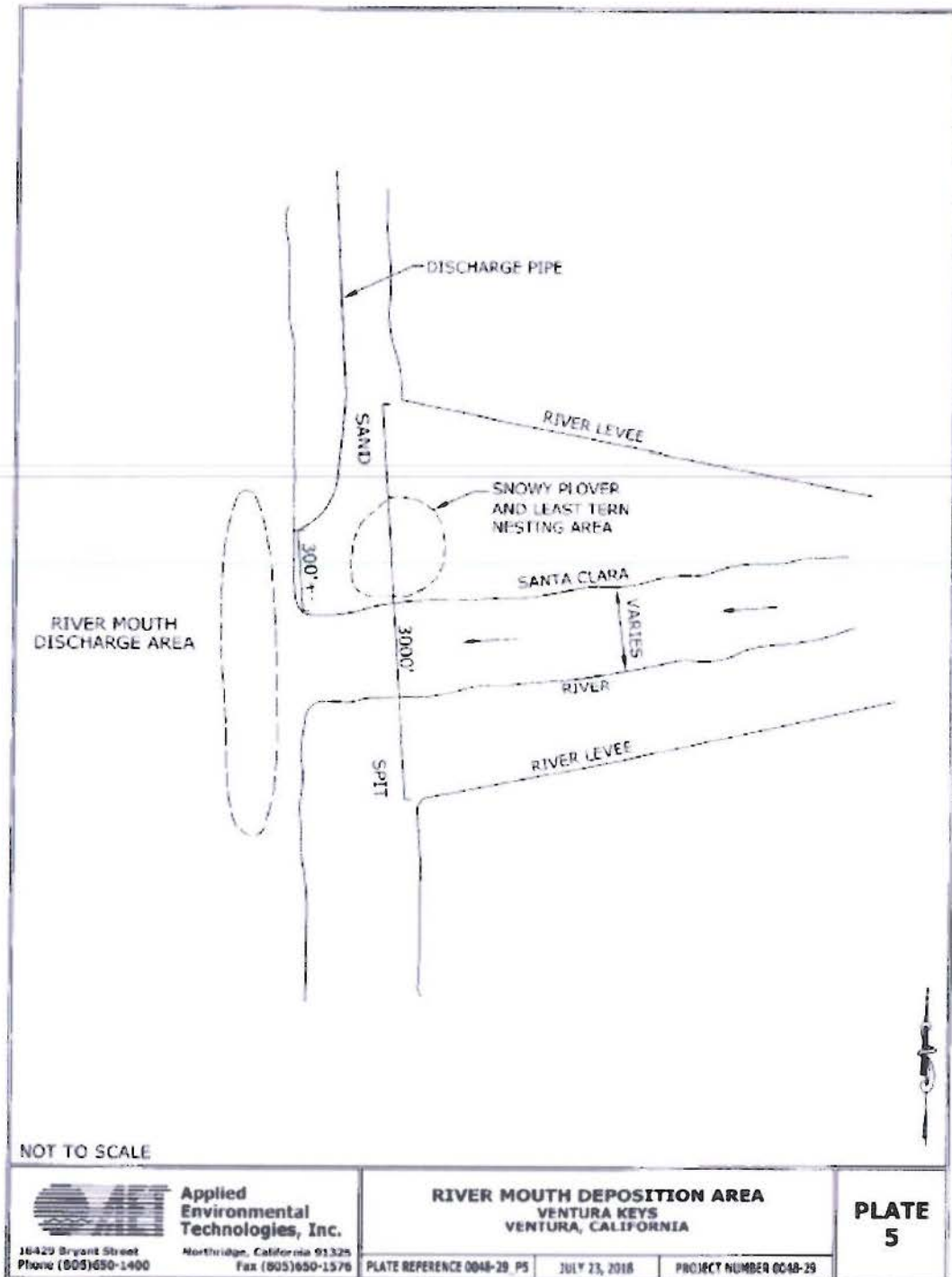
Figure 4. 2018 Sampling Locations within the Ventura Keys





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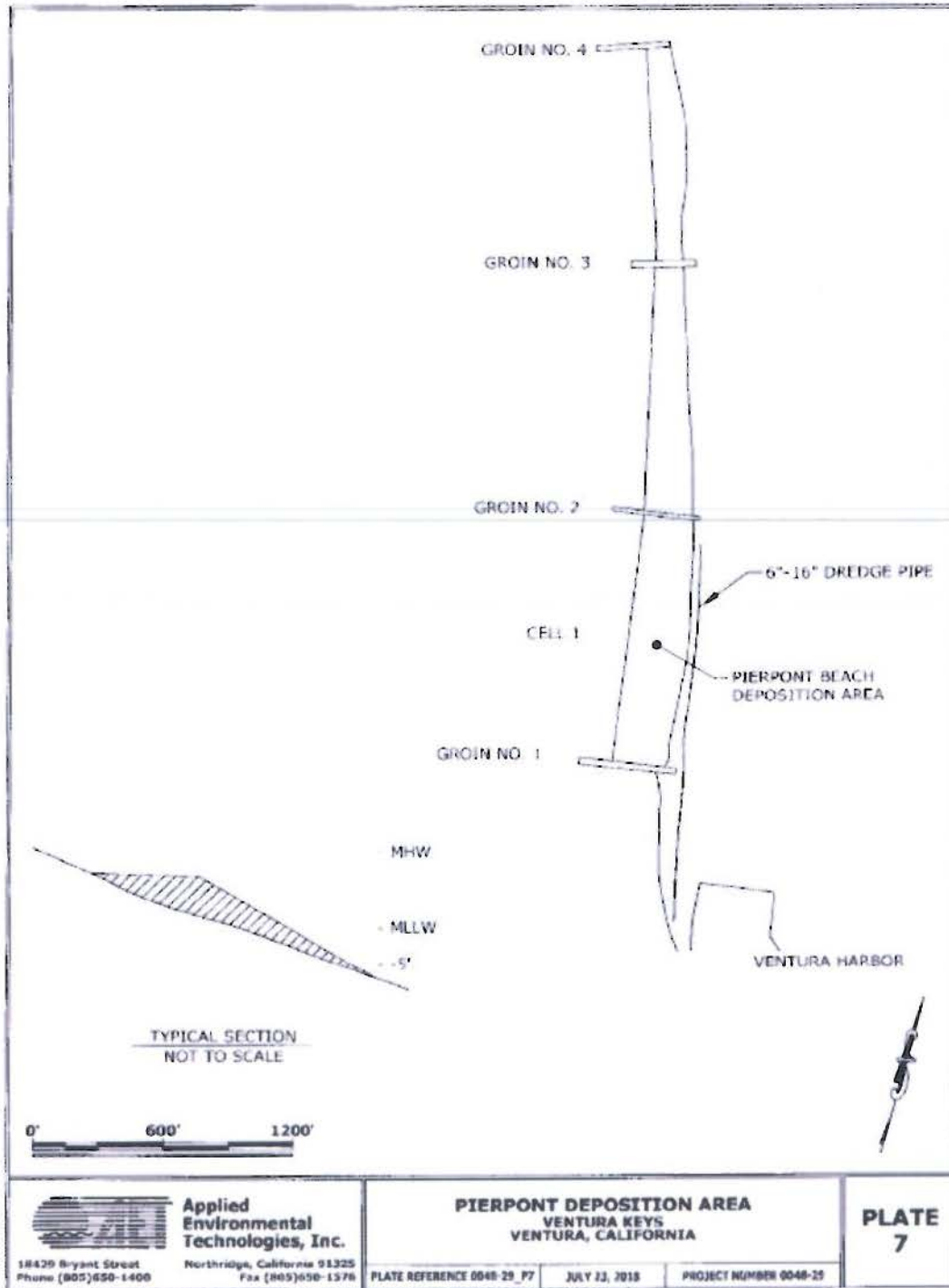
Figure 5. Potential areas to be dredged within Ventura Keys waterways (Connecting Channel, Channel 1, Channel 2, Channel 3).



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Figure 6. Santa Clara River Mouth Surf Zone for Disposal of Dredged Material.





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**ATTACHMENT A - STANDARD PROVISIONS, GENERAL MONITORING AND REPORTING REQUIREMENTS**

**A. Duty to Comply**

The Project Sponsor must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Water Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Water Board. (CWC Sections 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350). Failure to comply with any waste discharge requirement, monitoring and reporting requirement, or other order or prohibition issued, reissued or amended by the Regional Water Board or State Water Board is a violation of these waste discharge requirements and the Water Code, which can result in the imposition of civil liability. (CWC Section 13350, subdivision (a).)

**B. General Prohibition**

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the CWC. In addition, the discharge of waste classified as hazardous, as defined in California Code of Regulations, Title 23, Section 2521, subdivision (a) is also prohibited.

**C. Availability**

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. (CWC Section 13263).

**D. Change in Ownership**

The Project Sponsor must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new Project Sponsor containing a specific date for the transfer of this Order's responsibility and coverage between the current Project Sponsor and the new Project Sponsor. This agreement shall include an acknowledgement that the existing Project Sponsor is liable for violation up to the transfer date and that the new Project Sponsor is liable from the transfer date forward. (CWC Sections 13267 and 13263).

**E. Change in Discharge**

In the event of a material change in the character, location, or volume of a discharge, the Project Sponsor shall file with this Regional Water Board a new receiving water monitoring report (CWC Section 13260, subdivision (c)). A material change includes, but is not limited to, the following:

1. Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.

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2. Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
3. Increase in flow beyond that specified in the waste discharge requirements.
4. Increase in area or depth to be used for disposal beyond that specified in the waste discharge requirements. (CCR Title 23 Section 2210).

In addition, modifications to project may require an amendment of the Order. The Project Sponsor shall give advance notice to the Regional Water Board staff if project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority by submitting a Modifications to Project Report. The Permittee shall inform the Regional Water Board staff of any project modifications that will interfere with the permittee's compliance with the Order.

**F. Revision**

These waste discharge requirements are subject to review and revision by the Regional Water Board. (CWC Section 13263).

**G. Notification**

Where a project sponsor becomes aware that it failed to submit any relevant facts in a receiving water monitoring report or submitted incorrect information in a receiving water monitoring report or in any report to the Regional Water Board, it shall promptly submit such facts or information. (CWC Sections 13260 and 13267).

**H. 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, do not protect a Project Sponsor from his liability under Federal, State or local laws, nor do they create a vested right for the Project sponsor to continue the waste discharge. (CWC Section 13263, subdivision (g)).

**I. Severability**

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected. (CWC Section 921).

**J. Operation and Maintenance**

The Project Sponsor 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 Project Sponsor to achieve compliance with conditions of this Order. Proper operation and maintenance include 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

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backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. (CWC Section 13263, subdivision (f)).

**K. Hazardous Releases Requirement**

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 hazardous substance or sewage 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) 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 Water Board or the appropriate Regional Water 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 California Water Code unless the discharge is in violation of a prohibition in the applicable Water Quality Control plan. (CWC Section 13271, subdivision (a)).

**L. Oil or 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 water 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 provision 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. (CWC Section 13272).

**M. Investigations and Inspection**

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

1. Enter upon the Project Sponsor's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order.
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this Order.

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3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order.
4. 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. (CWC Section 13267).
5. Except for material determined to be confidential in accordance with applicable law, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the office of the Los Angeles Regional Water Board. Data on waste discharges, water quality, geology, and hydrogeology shall not be considered confidential.

**N. Monitoring Program and Devices**

The Project Sponsor shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. (CWC Section 13267).

All monitoring instruments and devices used by the discharge to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the Project Sponsor shall submit to the Executive Officer a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

The analysis of any material required pursuant to Division 7 of the Water Code shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code. However, this requirement does not apply to field tests, such as test for color, odor, turbidity, pH, temperature, dissolved oxygen, conductivity, and disinfectant residual chlorine. (California Water Code, Section 13176).

Unless otherwise permitted by the Regional Water Board Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Water Resources Control Board's Division of Drinking Water. All analyses shall be required to be conducted in accordance with the latest edition of "*Guidelines Establishing Test Procedures for Analysis of Pollutants*" (40 CFR Part 136) promulgated by the U.S. Environmental Protection Agency. (CCR Title 23, Section 2230). The Quality Assurance-Quality Control Program must conform to the USEPA Guidelines "*Laboratory Documentation Requirements for Data Validation*", January 1990, USEPA Region 9) or procedures approved by the Los Angeles Regional Water Quality Control Board.

All quality assurance and quality control (QA/QC) analyses must be run on the same dates when samples were actually analyzed. All QA/QC data shall be reported, along with the sample results to which they apply, including the method, equipment, analytical detection and quantitation limits, the percent recovery, and explanation for any recovery

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that falls outside the QC limits, the results of equipment and method blanks, the results of spiked and surrogate samples, the frequency of quality control analysis, and the name and qualifications of the person(s) performing the analyses. Sample results shall be reported unadjusted for blank results or spike recoveries. In cases where contaminants are detected in QA/QC samples (e.g., field, trip, or lab blanks); the accompanying sample results shall be appropriately flagged.

The Project Sponsor shall make all QA/QC data available for inspection by Regional Board staff and submit the QA/QC documentation with its respective quarterly report. If required, proper chain of custody procedures must be followed, and a copy of that documentation shall be submitted with the quarterly report.

**O. Operation Failure**

In an enforcement action, it shall not be a defense for the Project Sponsor that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the facility, the Project Sponsor 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 is provided. (CWC Section 13263(f)).

**P. Discharge to Navigable Waters**

Any person who discharges pollutants or proposes to discharge pollutants to navigable waters of the United States within the jurisdiction of this state or a person who discharges dredged or fill material or proposes to discharge dredged or fill material into navigable waters of the United States within the jurisdiction of this state shall file a report of waste discharge in compliance with the procedures set forth in Water Code section 13260. (California Water Code, Section 13376).

**Q. Endangerment to Health and Environment**

The Project Sponsor shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Project Sponsor becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Project Sponsor becomes aware of the circumstances. The written submission shall contain a description 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. Maintenance of Records

The Project Sponsor shall retain records of all monitoring information including all calibration and maintenance records, 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 three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation

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regarding this discharge or when requested by the Regional Water Board Executive Officer.

Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements.
2. The individual(s) who performed the sampling or measurements.
3. The date(s) analyses were performed.
4. The individual(s) who performed the analyses.
5. The analytical techniques or method used.
6. The results of such analyses.

**R. Signatory Requirement**

1. All application reports or information to be submitted to the Executive Officer shall be signed and certified as follows:
  - a. For a corporation – by a principle executive officer or at least the level of vice president.
  - b. For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
  - c. For a municipality, state, federal or other public agency – by either a principal executive officer or ranking elected official.
2. A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
  - a. The authorization is made in writing by a person described in paragraph (a) of this provision.
  - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity.
  - c. The written authorization is submitted to the Executive Officer.

**S. Continue Past Expiration Date**

If the Project Sponsor/Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Project Sponsor/Discharger must apply for and obtain a new Order.

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

**MONITORING AND REPORTING PROGRAM NO. xxxx  
FOR  
CITY OF SAN BUENAVENTURA  
(VENTURA KEYS MAINTENANCE DREDGING)  
(FILE NO. 97-127)**

1. Receiving Water Monitoring

The following sampling protocol shall be undertaken by the City of San Buenaventura (City) during the proposed dredging project. Sampling for the receiving water monitoring shall commence at least one week prior to the start of the dredging and fill operations and continue at least one week following the completion of all such operations. Sampling shall be conducted a minimum of once a week during dredging operations. Sampling shall be conducted down current of the dredge sites at least one hour after the start of dredging operations. All receiving water monitoring data shall be obtained via grab samples or remote electronic detection equipment. Receiving water samples shall be taken at the following stations:

<u>Station</u>	<u>Description</u>
A	30.5 meters (100 feet) up current of the dredging operations, safety permitting.
B	30.5 meters (100 feet) down current of the dredging operations, safety permitting.
C	91.5 meters (300 feet) down current of the dredging operations.
D	Control site (area not affected by dredging operations).

The following shall constitute the receiving water monitoring program:

Water Column Monitoring

<u>Parameters</u>	<u>Units</u>	<u>Station</u>	<u>Frequency</u>
Dissolved oxygen <sup>1</sup>	mg/l	A-D	Weekly <sup>2</sup>
Light transmittance <sup>1</sup>	% Transmittance	" "	"
pH <sup>1</sup>	pH units	" "	"
Suspended solids <sup>3</sup>	mg/l	" "	"

<sup>1</sup>Measurements shall be taken throughout the water column (at a minimum, at 2-meter increments).

<sup>2</sup>During the first two weeks of dredging, stations shall be sampled two times per week.

<sup>3</sup>Mid-depth shall be sampled.

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Water column light transmittance values from Stations C and D shall be compared for the near surface (1 meter below the surface), for mid-water (averaged values throughout the water column, excluding the near surface and bottom) and for the bottom (1 meter above the bottom). If the difference in % light transmittance between stations C and D for the near surface or mid-water or bottom is 30% or greater, water samples shall be collected at mid-depth (or the depth at which the maximum turbidity occurs) and analyzed for trace metals, DDTs, PCBs and PAHs. At a minimum, one set of water samples shall be collected and analyzed for these chemical constituents during the maintenance dredging operation.

In the event that the water column light transmittance values from Stations C and D exceed the 30% trigger described above, the City shall conduct the standard water quality monitoring described above for three consecutive days following the date of exceedance. The City shall notify the Regional Board, the California Coastal Commission, the United States Environmental Protection Agency and the United States Army Corps of Engineers within 24 hours following observance of the transmissivity exceedance. The City shall investigate whether the exceedance is due to obvious dredging operational problems and can be corrected easily and quickly. However, if the turbidity problem persists or recurs, the City shall look for other causes of the problem and evaluate whether additional, more aggressive best management practices are required to eliminate the exceedances; this evaluation shall be performed in consultation with the four regulatory agencies listed above.

Color photographs shall be taken at the time of sampling to record the presence and extent of visible effects of dredging operations. These photographs shall be submitted with the receiving water monitoring reports.

The City shall provide Regional Board staff with a receiving water monitoring program field schedule at least one week prior to initiating the program. Regional Board staff shall be notified of any changes in the field schedule at least 48 hours in advance.

## 2. Observations

The following receiving water observations shall be made and logged daily during dredging or excavating operations:

- a. Date and time;
- b. Direction and estimated speed of currents;
- c. General weather conditions and wind velocity;
- d. Tide stage;
- e. Appearance of trash, floatable material, grease, oil or oily slick, or other objectionable materials;
- f. Discoloration and/or turbidity;
- g. Odors;
- h. Depth of dredge operations during previous day;
- i. Amount of material dredged the previous day;
- j. Cumulative total amount of material dredged to date.

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### 3. General Provisions

All sampling, sample preservation, and analyses shall be performed in accordance with the latest edition of "*Guidelines Establishing Test Procedures for Analysis of Pollutants*" promulgated by the United States Environmental Protection Agency.

All chemical analyses shall be conducted at a laboratory certified for such analysis by the State Division of Drinking Water Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer.

The City shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to insure accuracy of measurements, or shall insure that both activities will be conducted by third parties under Port supervision.

A grab sample is defined as an individual sample collected in fewer than 15 minutes.

All samples shall be representative of the waste discharge under normal operating conditions.

### 4. Reporting

Monitoring reports shall be submitted within 10 days following each weekly sampling period. In reporting, the City shall arrange the monitoring data in tabular form so that dates, time, parameters, test data, and observations are readily discernible. The data shall be summarized to demonstrate compliance with the waste discharge requirements. A final report, summarizing the results of the weekly monitoring and reporting the total volume discharged, shall be submitted within one month of completion of the project.

Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.

Each monitoring report must affirm in writing that:

All analyses were conducted at a laboratory certified for such analyses by the Environmental Laboratory Accreditation Program (ELAP), Division of Drinking Water or approved by the Executive Officer and in accordance with current USEPA guidelines or as specified in the Monitoring and Reporting Program.

For any analysis performed for which no procedure is specified in the EPA guidelines or in the Monitoring Program, the constituent or parameter analyzed, and the method or procedure used must be specified in the report.

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All monitoring reports should be submitted electronically to the Regional Board via the following email address: [losangeles.losangeles@waterboards.ca.gov](mailto:losangeles.losangeles@waterboards.ca.gov). All submittals should reference the compliance file (CI) number required by the Order. Please do not combine reports – each report should be submitted as a separate document.

5. General Provisions for Reporting

For every item where the requirements are not met, the City shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction.

Each report shall contain the following completed declaration:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.

Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)"

These records and reports are public documents and shall be made available for inspection during business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by:

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DEBORAH J. SMITH  
Executive Officer

Date: March 14, 2019

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