

California Regional Water Quality Control Board
North Coast Region

Order No. R1-2000-59
ID No. 1A76119ODN

WASTE DISCHARGE REQUIREMENTS

FOR

CRESCENT CITY HARBOR DISTRICT
MAINTENANCE DREDGING
DISTRICT BERTHING AREAS AND FEDERAL CHANNEL

Del Norte County

The California Regional Water Quality Control Board, North Coast Region, (hereinafter the Regional Water Board) finds that:

1. The Crescent City Harbor District (hereinafter discharger) submitted a Report of Waste Discharge dated December 14, 1999. The report describes maintenance dredging of Crescent City Harbor to maintain navigation within the harbor.
2. The discharger has described two locations for dredge material disposal. The areas are:
 - a. A 15-acre upland disposal site, located northwest of the inner boat basin. During disposal operations, dredge materials are discharged to the pond by a suction cutter dredge and excess water is decanted and discharged back to the harbor. Small quantities of material are sometimes removed by a shore-based clamshell operation from various areas of the harbor, such as the vicinity of the boatlift facility and the launch ramp area, and trucked to the uplands deposition site.
 - b. The beach and near-shore waters just east of the Whaler Island causeway.

Utilization of the two disposal sites would be on the following schedule:

- a. The upland disposal site would be used on a year-round basis, subject to its capacity limitations and dredging needs within the harbor.
 - b. The beach and near-shore waters to the east of the Whaler Island causeway would only be used between August 1 and December 31.
3. Dredging depth will vary throughout the harbor depending on the needs of the vessels using specific areas. The harbor has been divided in to five areas as shown on attachment A of this order and includes the following depths and volumes:

<u>Area</u>	<u>Design Depth</u>	<u>Volume</u>
1	-15 feet MLLW	will not be dredged this cycle
2	-15 feet MLLW	49,739 cubic yards
3	-12 & -15 feet MLLW	99,073 cubic yards
4	-15 feet MLLW	89,647 cubic yards
5	-10 & -15 MLLW	59,621 cubic yards

The total volume of dredging needed in the harbor is 298,080 cubic yards. Typically, areas are over-dredged by 2 feet; which would bring the total to 457,020 cubic yards.

4. The criteria for the evaluation of the disposal sites for dredged material include:
 - a. chemical constituents
 - b. physical characteristics
 - c. bioassay results

All three criteria have been used to determine the suitability of the dredged materials for the proposed disposal areas. The grain-size measurements in Areas 2, 4, and 5 show less than 60 percent sand. In Area 3, the grain-size measurements show that 90 percent of the material is sand and would be suitable for beach replenishment.

No significant chemical constituents were detected in the samples collected throughout the harbor.

Bioassay results show that in Area 3, survival was not statistically different than that of control tests. Areas 2, 4, and 5 showed a lower survival rate than the control tests. Area 2 was statistically lower, which indicates that the materials should not be discharged to the beach area, but are suitable for upland disposal. Areas 4 and 5 were not significantly different from the control test and should be suitable for beach replenishment.

5. The boatlift facility associated with the repair yard is located in Area 4. The area immediately surrounding the boatlift has historically shown elevated levels of copper. Dredged materials from this area are not suitable for beach disposal and all materials dredged from this area, unless shown to be suitable by specific testing, shall be discharged to the upland site.
6. The Regional Water Board's Water Quality Control Plan for the North Coast Region includes water quality objectives and receiving water limitations to protect beneficial uses and to prevent nuisances.
7. Crescent City Harbor is considered a bay pursuant to the Basin Plan. The beneficial uses for Crescent City Harbor include:

- a. navigation
 - b. water contact recreation
 - c. non contact water recreation
 - d. commercial and sport fishing
 - e. wildlife habitat
 - f. marine habitat
 - g. migration of aquatic organisms
 - h. fish spawning, reproduction and/or early development
 - i. shellfish harvesting
8. The discharge is presently governed by Waste Discharge Requirements Order No. 92-103, adopted by the Regional Water Board on August 27, 1992.
9. Permitting of the proposed dredging is categorically exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) under 14 California Code of Regulations Sections 15301 and 15304 as an existing facility and as an activity involving minor alterations to land (specifically, maintenance dredging), respectively.
10. The Regional Water Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations.
11. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.
12. The permitted discharge is consistent with the provisions of State Water Resources Control Board Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality Waters in California. The impact on existing water quality will be insignificant.

THEREFORE, IT IS HEREBY ORDERED that Waste Discharge Requirements (Order No. 92-103) are rescinded and the discharger, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, shall upon the issuance of this Order comply with the following:

A. EFFLUENT LIMITATIONS:

1. The discharge of decant water from the dredge material settling pond shall not exceed the following limits:

<u>Constituents</u>	<u>Units</u>	<u>30-day average</u>
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Suspended solids	mg/l	100
Settleable solids	ml/l	1.0

B. DISCHARGE PROHIBITIONS

1. The discharge of any waste not specifically regulated by this Order is prohibited.
2. Creation of a pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code, is prohibited.
3. The discharge of waste to land that is not under the control of the discharger is prohibited.
4. The discharge of dredge material from Area 2 to the beach replenishment area is prohibited. (The dredge material from this area may be discharged to the upland site.)
5. The discharge of dredge material from the area adjacent to the boatlift facility to the beach replenishment area is prohibited. (The dredge material from this area may be discharged to the upland site.)
6. The discharge rate of dredge material from Area 1 to the beach replenishment area is prohibited unless it can be shown by appropriate testing that the materials are suitable for beach disposal, per Finding 4. (The dredge material from this area may be discharged to the upland site.)

C. RECEIVING WATER LIMITATIONS:

1. Waters shall not contain substances in concentrations that result in deposition of material that cause nuisance or adversely affect beneficial uses.
2. The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause a nuisance or adversely affect beneficial uses.
3. Turbidity shall not be increased more than 20 percent above naturally occurring background levels. Allowable zones of dilution within which higher percentages can be tolerated may be defined for specific discharges upon the issuance of discharge permits or waiver thereof.

D. GENERAL PROVISIONS

1. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel.

2. Severability

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found to be invalid, the remainder of these requirements shall not be affected.

3. Operation and Maintenance

The discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed by the discharger to achieve compliance with the waste discharge requirements.

4. Change in Discharge

The discharger shall promptly report to the Regional Water Board any material change in the character, location, or volume of the discharge.

5. Change in Ownership

In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the following items by letter, a copy of which shall be forwarded to the Regional Water Board:

- a. existence of this Order, and
- b. the status of the discharger's annual fee account

6. 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 his liability under federal, State, or local laws, nor create a vested right for the discharger to continue the waste discharge.

7. Monitoring

The discharger shall comply with the Contingency Planning and Notification Requirements Order No. 74-151 and the Monitoring and Reporting Program No. R1-2000-59 and any modifications to these documents as specified by the Regional Water Board Executive Officer. Such documents are attached to this Order and incorporated herein. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services.

8. Inspections

The discharger shall permit authorized staff of the Regional Water Board:

- a. entry upon premises in which an effluent source is located or in which any required records are kept;
- b. access to copy any records required to be kept under terms and conditions of this Order;
- c. inspection of monitoring equipment or records; and
- d. sampling of any discharge.

9. Noncompliance

In the event the discharger is unable to comply with any of the conditions of this Order due to:

- a. breakdown of waste treatment equipment,
- b. accidents caused by human error or negligence, or
- c. other causes such as acts of nature,

the discharger shall notify the Regional Water Board Executive Officer by telephone as soon as he or his agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephonic notification. The written notification shall

include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

10. Revision of Requirements

The Regional Water Board will review this Order periodically and may revise requirements when necessary.

The Regional Water Board requires the discharger to file a report of waste discharge at least 120 days before making any material change or proposed change in the character, location, or volume of the discharge.

Certification

I, Lee A. Michlin, 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, North Coast Region, on August 25, 2000.

Lee A. Michlin
Executive Officer