

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

ORDER NO. 01-077

WASTE DISCHARGE REQUIREMENTS
FOR
ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY
(FISH HARBOR OFFSET DREDGING PROJECT)
(FILE NO. 01-033)

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

1. Alameda Corridor Transportation Authority (ACTA), has filed an application for Waste Discharge Requirements for dredging and disposal of sediments from Fish Harbor, within Los Angeles Inner Harbor, to remove metals from the environment to offset the mass of metals discharged into Dominguez Channel as part of the Mid Corridor Trench dewatering operations under Order No. 99-143.
2. ACTA proposes to dredge approximately 80 cubic yards of sediment from Fish Harbor adjacent to Berths 263-264 (Figure 1). The dredged sediments will be taken to Kettleman Hills Landfill, Kings County (Class I) for disposal. The area to be dredged is approximately 15 feet by 20 feet and will be dredged to a depth of approximately 4 feet. ACTA proposes to coordinate this offset dredging project with a planned Port of Los Angeles maintenance dredging project (regulated under Order No. 01-016) so that the two dredging projects can be performed by the same dredging contractor.
3. ACTA began discharging extracted groundwater into Dominguez Channel, which drains into Los Angeles Harbor, from the Mid Corridor Trench project in February 2000. That discharge continued until September 29, 2000, after which the extracted groundwater was diverted to a Los Angeles County Sanitation Districts sewer line. However, three storm events in October 2000 required the discharge of extracted groundwater to Dominguez Channel.

ACTA has estimated that a total of 198 pounds of metals (lead, copper and zinc) have been discharged from the Mid Corridor Trench dewatering operations into Dominguez Channel, based upon measurements of metals concentrations in the extracted groundwater. Cease and Desist Order No. 00-127 requires an offset equivalent to 150% of the total mass discharged, or 297 pounds of these metals.

Based on sediment chemistry results provided by the Port of Los Angeles from testing of sediments in nearby areas of Fish Harbor, ACTA has estimated that the sediments to be dredged for the offset project would contain approximately 3,492 mg/kg of the three targeted metals (622 mg/kg copper, 1030 mg/kg lead, 1840 mg/kg zinc). Using this figure, ACTA has estimated that dredging approximately 40 cubic yards of sediments would result in removal of the necessary 297 pounds of metals. As a contingency, ACTA proposes to double the estimated volume and dredge approximately 80 cubic yards.

ACTA will conduct confirmatory sampling of the dredged sediments to verify the total amount of metals (copper, lead and zinc) removed by the offset project. If additional dredging is required (i.e., metals concentrations measured in the dredged sediments are significantly lower than anticipated), ACTA proposed to dredge up to 200 cubic yards of sediments to accomplish the required offset.

May 24, 2001

4. The Regional Board adopted a revised Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties on June 13, 1994. The Water Quality Control Plan contains water quality objectives for Los Angeles Inner Harbor. The requirements contained in this Order as they are met will be in conformance with the goals of the Water Quality Control Plan.
5. The beneficial uses of the inner harbor waters are: industrial service supply, navigation, water contact recreation (potential use), non-contact water recreation, commercial and sport fishing, marine habitat, preservation of rare and endangered species, and shellfish harvesting (potential use). The beneficial uses of the outer harbor waters are: navigation, water contact recreation, non-contact water recreation, commercial and sport fishing, marine habitat, preservation of rare and endangered species, and shellfish harvesting (potential use).
6. An Environmental Assessment, Categorical Exemption, was issued by the City of Los Angeles, Los Angeles Harbor Department for this project on January 15, 1999, pursuant to Public Resources Code Section 21000, et seq.
7. With proper management of the dredging and disposal operations, the project is not expected to release significant levels of contaminants to the Harbor waters or other State waters nor adversely impact beneficial uses.
8. Dredging and disposal operations will be accomplished through the use of temporary equipment. The waste discharge requirements will not result in any significant increase in energy consumption.

The Board has notified the discharger 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 their written views and recommendations.

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

IT IS HEREBY ORDERED that the Alameda Corridor Transportation Authority, 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:

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.

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. 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 mg/l at any time outside the immediate area of operation.
 - g. Any condition of pollution or nuisance.

B. Provisions

1. The above specifications are valid only for dredging and disposal of bottom material as proposed.
2. The discharger shall notify this Board immediately by telephone of any adverse conditions in receiving waters or adjacent areas resulting from the removal of dredge materials; written confirmation shall follow within one week.

3. A copy of this Order shall be made available at all times to project construction personnel.
4. The discharger shall provide the following information to the Board:
 - a. A copy of the final Department of the Army permit issued 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. The discharger shall submit, under penalty of perjury, technical reports to the Board in accordance with specifications prepared by the Executive Officer.
6. In accordance with section 13260(c) of the Water Code, the discharger shall file a report of any material change or proposed change in the character, location, or volume of the waste.
7. These requirements do not exempt the discharger from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this waste discharge, and they leave unaffected any further restraint on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.
8. In accordance with Water Code section 13263(g), these requirements shall not create a vested right to continue to discharge. All discharges of waste into waters of the State are privileges, not rights, and are subject to rescission or modification.
9. This Order includes Attachment N: "Standard Provisions, General Monitoring and Reporting Requirements" ("Standard Provisions"). If there is any conflict between provisions stated hereinbefore and said "Standard Provisions", those provisions stated hereinbefore 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. certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the applicant.

11. This order shall expire on December 31, 2001.

I, Dennis A. Dickerson, 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 24, 2001.

DENNIS A. DICKERSON
Executive Officer

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

MONITORING AND REPORTING PROGRAM NO. 8285
FOR
ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY
(FISH HARBOR OFFSET DREDGING PROJECT)
(FILE NO. 01-033)

Receiving Water Monitoring

The following sampling protocol shall be undertaken during the dredging and/or fill 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 ¹	mg/l	A thru D	Daily
Light transmittance ¹	% Transmittance	" "	"
pH ¹	pH units	" "	"
Suspended solids ²	mg/l	" "	Daily

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

²Mid-depth shall be sampled.

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 discharger 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.

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.

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 Department of Health Services, or approved by the Executive Officer.

The discharger 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.

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.

REPORTING

Monitoring reports shall be submitted within 10 days following each weekly sampling period. In reporting, the discharger 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 must affirm in writing that:

All analyses were conducted at a laboratory certified for such analyses by the State Water Resources Control Board or approved by the Executive Officer and in accordance with current EPA guidelines or as specified in the Monitoring 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.

GENERAL PROVISIONS FOR REPORTING

For every item where the requirements are not met, the discharger 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.

Monitoring and Reporting Program No. 8285
Alameda Corridor Transportation Authority
Fish Harbor Offset Dredging Project

Order No. 01-077

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:

DENNIS A. DICKERSON
Executive Officer

Date: May 24, 2001