



California Regional Water Quality Control Board
Los Angeles Region



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Matthew Rodriguez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

September 7, 2011

Mr. Antonio V. Gioiello
Chief Harbor Engineer
Port of Los Angeles
Post Office Box 151
San Pedro, CA 90733-0151

WASTE DISCHARGE REQUIREMENTS
SAN PEDRO WATERFRONT PROJECT (FILE NO. 11-082)

Dear Mr. Gioiello:

Reference is made to our letter of August 2, 2011, which transmitted copied of revised tentative waste discharge requirements (WDRs) and a receiving water monitoring program for the San Pedro Waterfront Project in Los Angeles Harbor, Los Angeles County.

In accordance with the California Water Code, this Board, at a public meeting held on September 1, 2011, reviewed the tentative requirements, considered all factors in the case and adopted Order No. R4-2011-0154 relative to this waste discharge (copy enclosed). The Standard Provisions, which were sent to you with the tentative requirements, were adopted without change and are part of this order.

All monitoring reports should be sent to the Regional Board, Attention: Information Technology Unit. Reference all technical monitoring reports required by this Order to our Compliance File No. 9752. We would appreciate it if you would not combine other reports, such as progress or technical reports, with your monitoring reports, but would submit each type of report as a separate document.

Should you have any questions, please telephone me at (213) 576-6718.


J. MICHAEL LYONS
Environmental Specialist IV

Enclosures

Cc: Bill Orme, Non-point Source Unit, SWRCB
Jennifer Fordyce, Office of Chief Counsel, SWRCB
Larry Simon, California Coastal Commission (San Francisco)
Bill Paznokas, California Department of Fish and Game (San Diego)
Kenneth Wong, U.S. Army Corps of Engineers (Los Angeles)
Daniel Swenson, U.S. Army Corps of Engineers (Los Angeles)
Theresa Stevens, U.S. Army Corps of Engineers (Ventura)
Allan Ota, U.S. Environmental Protection Agency (San Francisco)
Jorine Campopiano, U.S. Environmental Protection Agency (Los Angeles)
Ken Corey, U.S. Fish and Wildlife Service (Carlsbad)
Bryant Chesney, National Marine Fisheries Service (Long Beach)
Kirsten James, Heal the Bay
Susie Santilena, Heal the Bay
Kathryn Curtis, Port of Los Angeles
Jonathan Cuevas, Port of Los Angeles
Jan Green Rebstock, Port of Los Angeles

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

ORDER NO. R4-2011-0154

WASTE DISCHARGE REQUIREMENTS
FOR
PORT OF LOS ANGELES
(SAN PEDRO WATERFRONT PROJECT)
(FILE NO. 11-082)

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

1. The Port of Los Angeles (POLA) has filed an application for Waste Discharge Requirements (WDR) for the San Pedro Waterfront (SPW) Project, which is located in the southern end of the City of Los Angeles and includes approximately 400 acres within the Port of Los Angeles along the west side of the Main Channel. The project area generally is located from the Vincent Thomas Bridge to Cabrillo Beach, adjacent to the San Pedro community (Figure 1).

The SPW project is intended to increase public access to the waterfront, allow additional visitor-serving commercial development within the Port of Los Angeles, respond to increased demand in the cruise industry, and enhance transportation within and around the port. The SPW project involves a variety of land uses within the project area, including public waterfront and open space areas, commercial development, transportation and parking facilities, and expansion of cruise ship facilities and operations. The SPW project includes the development of three new harbors, including the Downtown Harbor and 7th Street Harbor during Phase 1, and the North Harbor during Phase 2 (Figure 2).

2. Phase 1 of the SPW project is expected to be completed between 2011 and 2016. It will include construction of the Downtown Harbor, a 1,238-acre water cut, located between 5th Street and 6th Street north of the Maritime Museum. Construction of the harbor will require dredging of an estimated 101,335 cubic yards of sediment to create a water depth of -25 feet Mean Lower Low Water (MLLW) (including a 2-foot over depth dredging allowance) and would move the existing water's edge a maximum of 160 feet west.

August 2, 2011

The existing Wilmington Tug Company Wharf would be modified to provide access to the new harbor. Demolition of the existing temporary facility for Top Sail, surface parking, and landscaping would be required prior to dredging of the new harbor. This phase of the SPW project will include construction of new sheet pile bulkheads, floating docks and access gangways. A waterfront promenade and plaza would encircle the new harbor.

Creation of the 7th Street harbor will require a 0.402-acre water cut for visiting vessels. Demolition of existing wharfs and parking areas would be required prior to dredging of the new harbor. Construction of the new harbor will require dredging of an estimated 44,676 cubic yards of sediment to create a water depth of -21 feet MLLW (including a 2-foot over depth dredging allowance). Sheet pile bulkheads would form the edges of the new harbor. Twelve-foot wide floating docks and access gangways are proposed for the perimeter of the harbor.

The 7th Street Pier would be the public city dock for short-term docking of visiting vessels. Demolition of an existing floating dock is required.

3. Phase 2 of the SPW project is expected to be completed between 2018 and 2030. That phase of the project would include development of a Ports O' Call Promenade along the waterfront, Salinas de San Pedro Salt Marsh Improvements, relocation of a boat fueling facility to Berth 240, development of the City Dock No. 1 Promenade, development of the Boy Scout Camp and Salt Marsh Promenade, construction of new cruise ship facilities at Berths 45-47 and Berths 49-50 in the Outer Harbor, deepening and new development of the North Harbor, and modification of the Catalina Express Berth 94 wharf and facilities. Phase 2 of the SPW project would require dredging of an estimated 445,330 cubic yards of sediment.

Phase 2 project activities and operations are not intended to be covered by the WDRs contained in this Order. Phase 2 project specifications will be provided during the process for renewal of WDRs for the SPW project, which would be anticipated to occur in 2016 and would cover the planned future Phase 2 activities and operations.

4. The volume of material to be dredged and excavated from the Downtown Harbor (Figure 3) and the 7th Street Harbor (Figure 4) as part of Phase 1 is approximately 146,012 cubic yards of sediment. Following dredging, sediment will be delivered by barges to an off-loading area located at Berth 200A (Figure 8). Trucks then will transport the sediment via a dedicated truck route to a stockpile area located near the corner of Henry Ford Avenue and Anaheim Street intersection (Figure 8). The contractor will implement Best Management Practices for dust control to comply with the South Coast Air Quality Management District Rule 403 for fugitive dusts.

Soil excavated from the upper layer of the SPW Phase 1 project sites containing lower concentrations of organic compounds and metals will be used to construct a temporary dike along the perimeters of the sediment stockpile to contain sediment and provide drying space for runoff. The sediment stockpile will occupy an area of approximately 5 acres with a height of 10 to 12 feet. The center of the stockpile will be cratered two feet below the top edge to create a pool area that can contain water in a rain event and prevent surface runoff from leaving the stockpile area. The pool area is designed to retain up to 24 inches of rainfall, or well in excess of a 100-year storm event. The entire containment dike will be covered with impervious plastic sheets and anchored at the toe of the dike. This will protect the dike from wind and water erosion, as well as accidental release of soil chemical constituents through surface runoff to the harbor during a storm event.

Approximately 140,512 cubic yards of excavated and dredged material will be reused for construction at the Berth 200 rail yard, including placement of railroad tracks, ballast (9 to 12 inches under the railroad ties), underdrains, sub-ballast (9 to 12 inches) and compacted fill (including excavated soil and dredged sediment) onto existing ground. The ballast is used to facilitate drainage, distribute load/weight of the train, and control vegetation growth. The sub-ballast is comprised of heavily compacted soil and crushed miscellaneous base mixture for the purpose of providing structural stability to the track roadbed. The underdrains, consisting of pea gravel and perforated drain pipes, are installed below the ballast and along the side of the railroad tracks to collect water runoff from the rail. Because the sub-ballast is compacted and relatively impermeable (with physical characteristics similar to asphalt concrete), storm water that flows through the ballast is directed along the top of the sub-ballast to the underdrains. From the underdrains, the water flows to mainline storm drains, through a stormwater filtration system (oil/water separator) to a pump station, and ultimately is discharged to the harbor via outfalls.

Based on sediment toxicity testing and sediment chemistry results, approximately 5,500 cubic yards of sandy dredged material is suitable for beach nourishment. This material will be reused through placement at Outer Cabrillo Beach.

5. A sediment characterization study was conducted in October and November, 2008 to assess sediment quality within the Downtown Water Cut area and the 7th Street Water Cut area. Eight sampling stations were located within the Downtown Water Cut area (Figure 5) and five stations within the 7th Street Water Cut area (Figure 6). A tiered evaluation was used to evaluate suitability of material for beneficial reuse alternatives, ocean disposal or upland placement options. The top soil layer of the Downtown and 7th Street Water Cuts were composited separately and evaluated for upland placement. Evaluation of soil composite samples from the Downtown and 7th

Street Water Cut areas included physical and chemical analyses, and a toxicity characteristic leaching procedure (TCLP) analysis to estimate the potential impact of contaminants leaching from the soil as a result of upland placement.

Evaluation of sediment samples involved a phased approach. First, the sediment section of each core was subsectioned based on stratigraphy encountered and all subsections were submitted for chemical analyses. Sediment then was composited and a Full Tier III evaluation was conducted on sediment composites created from core subsections demonstrating low levels of chemicals to further evaluate material for ocean disposal or other beneficial reuses. The Tier III evaluation included three suspended particular phase toxicity tests, two solid phase toxicity tests, and two bioaccumulation potential tests. Sediment composites created from core subsections with elevated concentrations of chemicals, or in areas infeasible for removal by dredging as separate units, were evaluated for upland placement options via TCLP analyses.

An additional sediment characterization study was conducted in December 2010 to assess sediment quality in an offshore portion of the proposed Downtown Water Cut area that was not sampled in 2008. Three sampling stations were located within this area (Figure 7) and the core samples were analyzed individually for physical and chemical parameters.

6. Within the Downtown and 7th Street Watercut areas, in-water sediments ranged from predominately coarse-grained material (more than 90% sand and gravel) to predominately fine-grained material (more than 85% silt and clay). Above-water soils in both areas were predominately coarse-grained material (more than 75% sand and gravel).

Moderate levels of sediment contamination were present within the Downtown Watercut area, as seven metals (arsenic, cadmium, lead, mercury, nickel, silver, zinc) exceeded the level at which potential toxicity effects could occur (effects range-low, or ER-L, threshold), but only one metal (copper) exceeded this level in soil. Two of the metals in sediments (mercury and nickel) also exceeded the level at which toxicity effects would be probable (effects range-median, or ER-M, threshold). The concentrations of total DDTs and total PCBs did not exceed the potential or the probable effects thresholds (ER-L and ER-M) in any of the soil or sediment samples. However, total PAHs in sediments exceeded the potential effects threshold (ER-L) at several locations within the Downtown Watercut area).

Table 1.
Sediment grain size and chemistry results for Downtown Water Cut area
(2008 sediment characterization results).

Constituent	Area DT A-C*	Area DT D-H*	Effects Range – Low & Median (ERL/ERM) Concentrations
Gravel	0.05-1.6 %	0 - 1.7 %	Not applicable
Sand	7.2 – 93.9 %	10.8 - 95.2 %	Not applicable
Silt	3.4 – 57.3 %	2.7 - 63.5 %	Not applicable
Clay	2.6 – 42.4 %	1.8 - 42.0 %	Not applicable
Arsenic	1.5 – 8.0 ppm	1.4 - 10.8 ppm	8.2/70 ppm
Cadmium	0.1 – 1.5 ppm	0.08 - 1.9 ppm	1.2/9.6 ppm
Chromium	11 – 66.3 ppm	10.4 - 79.1 ppm	81/370 ppm
Copper	8.2 – 69.6 ppm	6.2 - 39.6 ppm	23/270 ppm
Lead	3.7 – 101 ppm	2.1 - 16.1 ppm	46.7/218 ppm
Mercury	0.03 – 2.13 ppm	<0.01 – 0.05 ppm	0.15/0.71 ppm
Nickel	6.9 – 53.1 ppm	7.1 – 61.8 ppm	20.9/51.6 ppm
Selenium	0.06 – 0.44 ppm	0.06 – 0.36 ppm	Not applicable
Silver	0.27 – 3.33 ppm	0.06 – 0.70 ppm	1/3.7 ppm
Zinc	26.2 – 174 ppm	18.9 – 76.1 ppm	150/410 ppm
Total DDTs	<1 ppb	<1 ppb	1.58/46.1 ppb
Total PCBs	<1 ppb	<1 ppb	22.7/180 ppb
Total PAHs	<1 – 42,849 ppb	<1 - 553 ppb	4,022/44,792 ppb

* Areas were determined based on individual core chemistry; results shown are the range of concentrations across individual cores from a project area.

DT = Downtown

ppm = parts per million; ppb = parts per billion

DDTs = dichloro-diphenyl-trichloroethane

PCBs = polychlorinated biphenyls

PAHs = polynuclear aromatic hydrocarbons

Table 2.
Sediment grain size and chemistry results for Downtown Water Cut area
(2010 supplemental sediment characterization results).

Constituent	DTW-1	DTW-2	DTW-3	Effects Range – Low & Median (ERL/ERM) Concentrations
Gravel	0.7 %	0.3 %	0.6 %	Not applicable
Sand	57.8 %	66.3 %	54.3 %	Not applicable
Silt	22.9 %	17.3 %	26.3 %	Not applicable
Clay	18.5 %	16.1 %	18.8 %	Not applicable
Arsenic	5.4 ppm	4.4 ppm	6.7 ppm	8.2/70 ppm
Cadmium	1.3 ppm	0.9 ppm	1.2 ppm	1.2/9.6 ppm
Chromium	38.2ppm	29.7 ppm	39.0 ppm	81/370 ppm
Copper	40.1 ppm	28.6 ppm	55.3 ppm	23/270 ppm
Lead	139.5 ppm	112.6 ppm	100.1 ppm	46.7/218 ppm
Mercury	0.7 ppm	0.8 ppm	0.9 ppm	0.15/0.71 ppm
Nickel	18.5 ppm	13.2 ppm	18.2 ppm	20.9/51.6 ppm
Selenium	0.4 ppm	0.3 ppm	0.4 ppm	Not applicable
Silver	0.4 ppm	0.8 ppm	0.7 ppm	1/3.7 ppm
Zinc	113.1 ppm	100.2 ppm	282.0 ppm	150/410 ppm
Total DDTs	87.4 ppb	69.8 ppb	97.4 ppb	1.58/46.1 ppb
Total PCBs	<1 ppb	<1 ppb	<1 ppb	22.7/180 ppb
Total PAHs	6638 ppb	4365 ppb	6638 ppb	4,022/44,792 ppb

DTW = Downtown Waterside
 ppm = parts per million; ppb = parts per billion
 DDTs = dichloro-diphenyl-trichloroethane
 PCBs = polychlorinated biphenyls
 PAHs = polynuclear aromatic hydrocarbons

Table 3.
Sediment grain size and chemistry results for 7th Street Water Cut area
(2008 sediment characterization results).

Constituent	Area SS A-B*	Area SS C-E*	Effects Range – Low & Median (ERL/ERM) Concentrations
Gravel	0 - 3.3 %	0 – 0.86 %	Not applicable
Sand	13.7 – 89.6 %	89.2 - 93.9 %	Not applicable
Silt	7.7 – 45.2 %	8 - 41.3 %	Not applicable
Clay	2.6 – 40.7 %	1.7 – 3.3 %	Not applicable
Arsenic	2.7 - 9.5 ppm	1.9 - 4.1	8.2/70 ppm
Cadmium	0.09 - 0.96 ppm	0.06 - 0.11	1.2/9.6 ppm
Chromium	11.7 - 55 ppm	9.5 - 12.9	81/370 ppm
Copper	9.4 - 54.5 ppm	6.8 - 13.2	23/270 ppm
Lead	2.4 - 55.1 ppm	1.9 - 20.1	46.7/218 ppm
Mercury	0.02 - 0.35 ppm	0.02 - 0.11	0.15/0.71 ppm
Nickel	9.0 - 39.5 ppm	7.0 - 9.1	20.9/51.6 ppm
Selenium	0.11 - 0.77 ppm	0.15 - 0.56	Not applicable
Silver	0.06 - 0.73 ppm	0.03 - 0.06	1/3.7 ppm
Zinc	26.2 - 92 ppm	22.5 - 34.6	150/410 ppm
Total DDTs	<1 - 2.5	<1 - 25.1	1.58/46.1 ppb
Total PCBs	<1 - 38.1	<1	22.7/180 ppb
Total PAHs	12.6 – 22,823	<1 - 344	4,022/44,792 ppb

* Areas were determined based on individual core chemistry; results shown are the range of concentrations across individual cores from a project area.

SS = 7th Street

ppm = parts per million; ppb = parts per billion

DDTs = dichloro-diphenyl-trichloroethane

PCBs = polychlorinated biphenyls

PAHs = polynuclear aromatic hydrocarbons

Table 4.
Sediment grain size and soil chemistry results for
Downtown Water Cut and 7th Street areas
(2008 sediment characterization results).

Constituent	DT-1	SS-1	Effects Range – Low & Median (ERL/ERM) Concentrations
Gravel	2.6 %	1.1 %	Not applicable
Sand	74.4 %	83.6 %	Not applicable
Silt	15.1 %	10.2 %	Not applicable
Clay	7.9 %	5.0 %	Not applicable
Arsenic	3.9 ppm	4.5 ppm	8.2/70 ppm
Cadmium	0.23 ppm	0.12 ppm	1.2/9.6 ppm
Chromium	18.1 ppm	13.5 ppm	81/370 ppm
Copper	47.7 ppm	13.2 ppm	23/270 ppm
Lead	16.2 ppm	14.0 ppm	46.7/218 ppm
Mercury	0.07 ppm	0.04 ppm	0.15/0.71 ppm
Nickel	14.6 ppm	9.7 ppm	20.9/51.6 ppm
Selenium	0.17 ppm	0.12 ppm	Not applicable
Silver	0.20 ppm	0.03 ppm	1/3.7 ppm
Zinc	48.5 ppm	40.8 ppm	150/410 ppm
Total DDTs	<1 ppb	<1 ppb	1.58/46.1 ppb
Total PCBs	<1 ppb	<1 ppb	22.7/180 ppb
Total PAHs	435 ppb	20.3 ppb	4,022/44,792 ppb

DT = Downtown; SS = 7th Street
 ppm = parts per million; ppb = parts per billion
 DDTs = dichloro-diphenyl-trichloroethane
 PCBs = polychlorinated biphenyls
 PAHs = polynuclear aromatic hydrocarbons

Moderate levels of sediment contamination also were present within the 7th Street Watercut area, as five metals (arsenic, copper, lead, mercury, nickel) exceeded the level at which potential toxicity effects could occur (ER-L threshold), but none of these metals exceeded the level at which toxicity effects would be probable (ER-M threshold). Total DDT concentrations also exceeded the ER-L threshold, but total PCBs and total PAHs did not. Soil samples did not exceed any of the potential effects thresholds.

The moderate levels of sediment contamination present in the areas to be dredged and excavated do not preclude land disposal within a constructed fill site.

7. The Los Angeles Harbor Department and United States Army Corp of Engineers (USACE) prepared a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) pursuant to the California Environmental Quality Act and the National Environmental Policy Act for the San Pedro Waterfront Project. The draft EIR/WIR was released for public review and comment in September 2008, a public hearing was held on October 27, 2008, to solicit comments on the Draft EIR/EIS, and Notices of Availability of the Final EIR/EIS were published in the Federal Register by the USACE and United States Environmental Protection Agency on September 25, 2009. The Board of Harbor Commissions approved the San Pedro Waterfront Final EIR on September 29, 2009 at a public hearing. The USACE issued the Record of Decision for the Final EIS on May 11, 2011. The USACE permit number for the San Pedro Waterfront Project is 2005-01271-SDM.
8. 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 Harbor. The requirements contained in this Order as they are met will be in conformance with the goals of the Water Quality Control Plan.
9. 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).
10. With proper management of the dredging and disposal operations, the project is not expected to release significant levels of contaminants to the bay waters or other State waters nor adversely impact beneficial uses.

11. Dredging and disposal operations will be accomplished through the use of temporary equipment. The Waste Discharge Requirements imposed below will not result in any significant increase in energy consumption.

The Regional Board has notified Port of Los Angeles 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 Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.

IT IS HEREBY ORDERED that Port of Los Angeles, 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 Discharge Requirements specified above are valid only for dredging and excavation of a maximum of 146,012 cubic yards of sediment and disposal of up to 5,500 cubic yards of sandy material for beach nourishment at Outer Cabrillo Beach and disposal of up to 140,512 cubic yards of sediment for reused as fill within the Port of Los Angeles at the Berth 200 rail yard.
2. The Port 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, disposal operations; 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 Port shall provide the following information to the Regional Board:
 - a. A copy of the final permit issued by the United States Corps of Engineers for the dredge and disposal operations.

- b. The scheduled date of commencement of each dredging and disposal operation at least one week prior to initiation of dredging.
 - c. Notice of termination of dredging and disposal operations, within one week following the termination date.
5. The Port shall submit, under penalty of perjury, technical reports to the Regional Board in accordance with specifications prepared by the Executive Officer.
6. The Port shall prepare and submit to the Regional Board's Executive Officer for review and approval a Soil Management Plan (SMP) in the event that the backfill dredged materials with known contamination, including petroleum hydrocarbons, are disturbed during any future site redevelopment. The SMP shall include a decision making framework for environmental risk management and procedures to be followed during the site redevelopment activities, such as construction and maintenance of utilities and pipelines, grading, geotechnical soil excavation and/or compaction, and construction and/or demolition of any structures and foundations at the site. In the event that the proposed redevelopment plans as stated in the SMP change, the Port shall notify the Regional Board's Executive Officer in writing within 30 days.
7. The Port shall develop a conceptual site model and perform a human health risk assessment (HHRA) to evaluate whether the backfill dredged sediments with known contamination pose any significant threat to future site users and occupants. If the initial HHRA concludes that known contamination concentrations in backfill dredged materials exceed the published USEPA and CalEPA soil screening levels, a site-specific HHRA shall be conducted (the site-specific HHRA report shall be reviewed and approved by the California Office of Environmental Health Hazard Assessment or a toxicologist from another regulatory agency). Based on the approved HHRA, the Regional Board may require mitigation measures to address issues related to known contaminated dredged materials and the designated land use for the site.
8. In accordance with section 13260(c) of the Water Code, the Port shall file a report of any material change or proposed change in the character, location, or volume of the waste.

9. These requirements do not exempt the Port 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.
10. 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.
11. 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.
12. 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.

Port of Los Angeles
San Pedro Waterfront Project

Order No. R4-2011-0154

13. This Order shall expire on August 31, 2016.

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 September 1, 2011.

Samuel Unger
SAMUEL UNGER, P.E.
Executive Officer

vjml

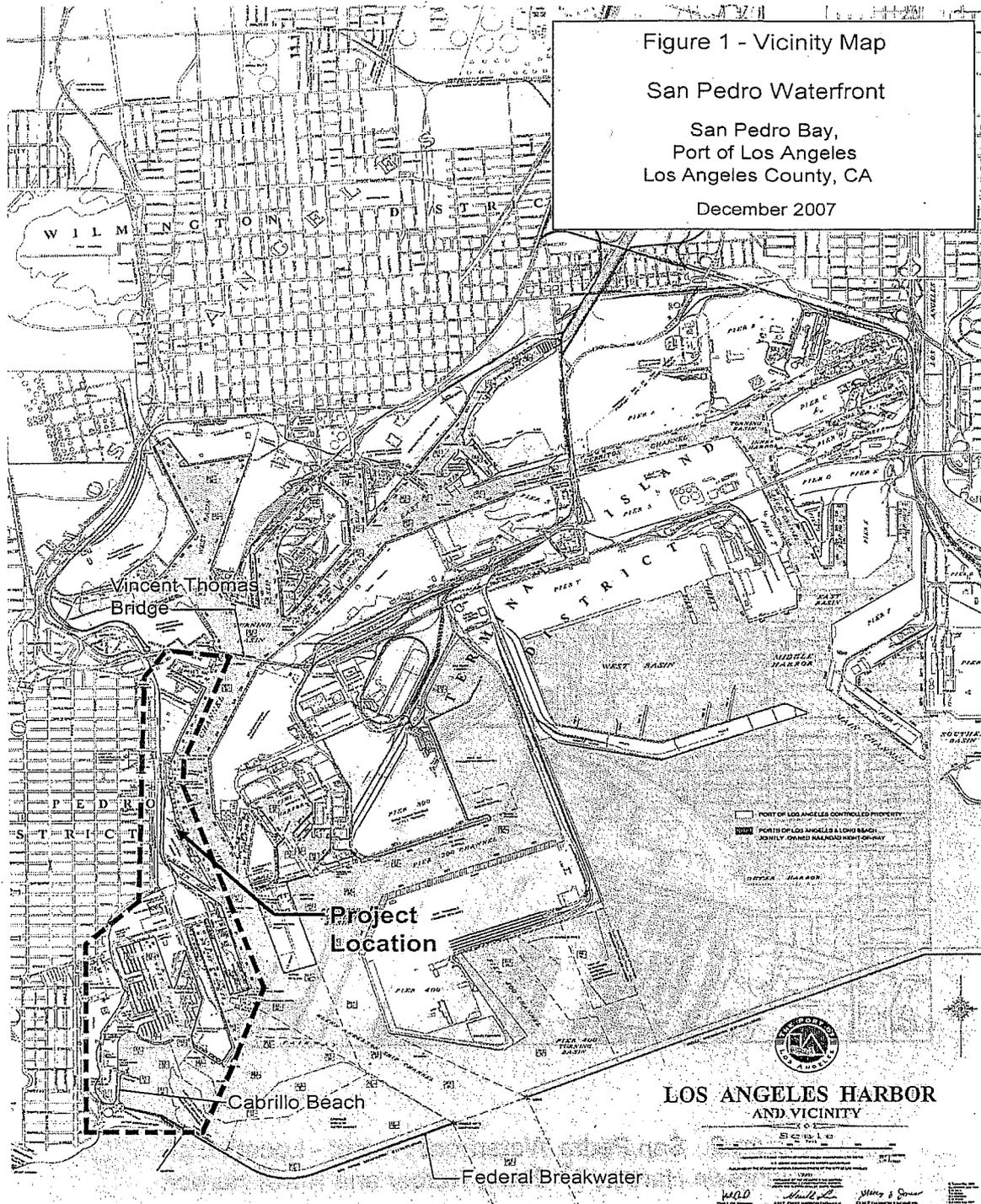


Figure 1. Location of San Pedro Waterfront Project within Port of Los Angeles.



Figure 2. San Pedro Waterfront Project - Location of Downtown Harbor, 7th Street Harbor and North Harbor.

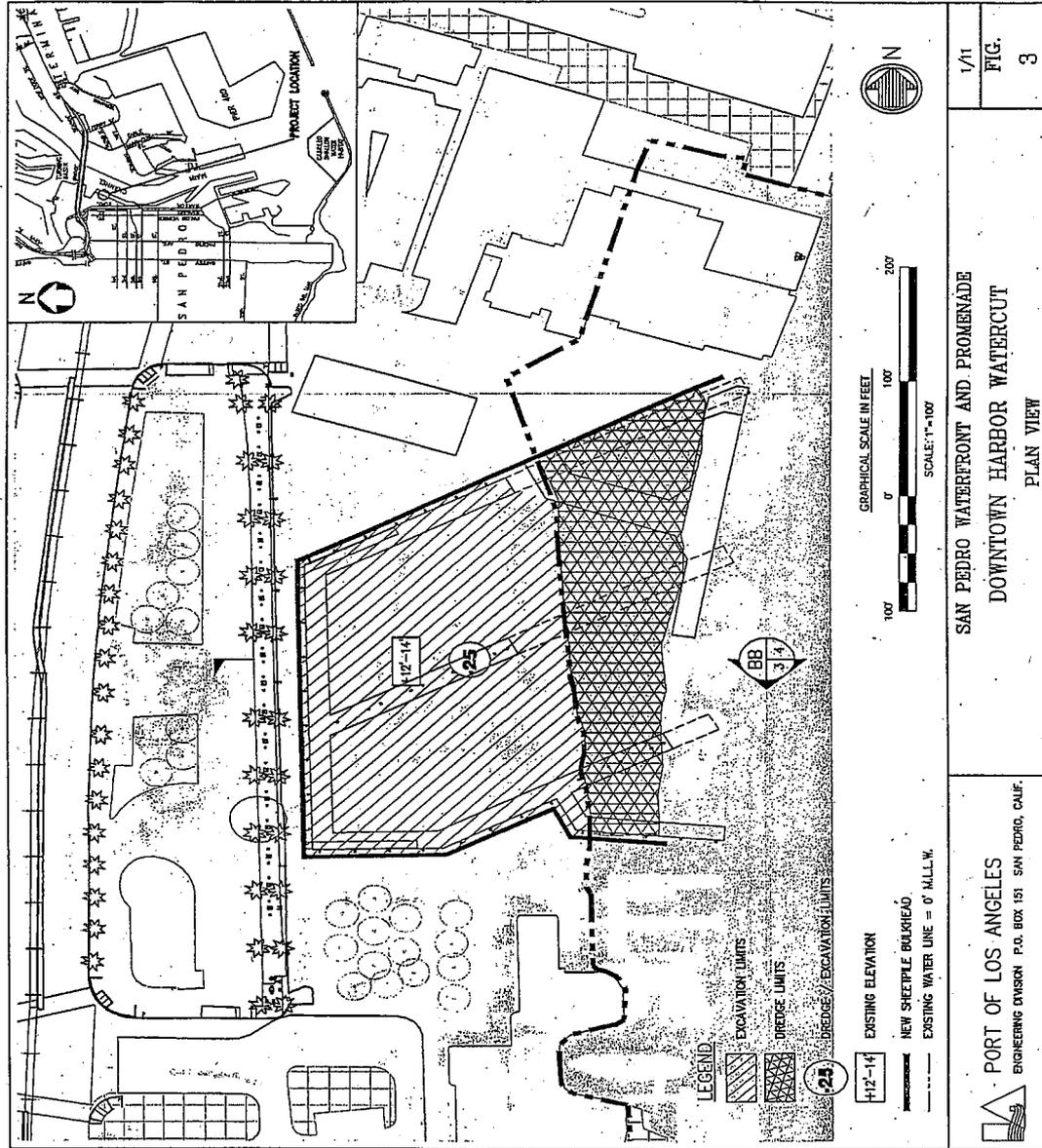


Figure 3. San Pedro Waterfront Project – Areas to be Dredged and Excavated within the Downtown Harbor Watercut.

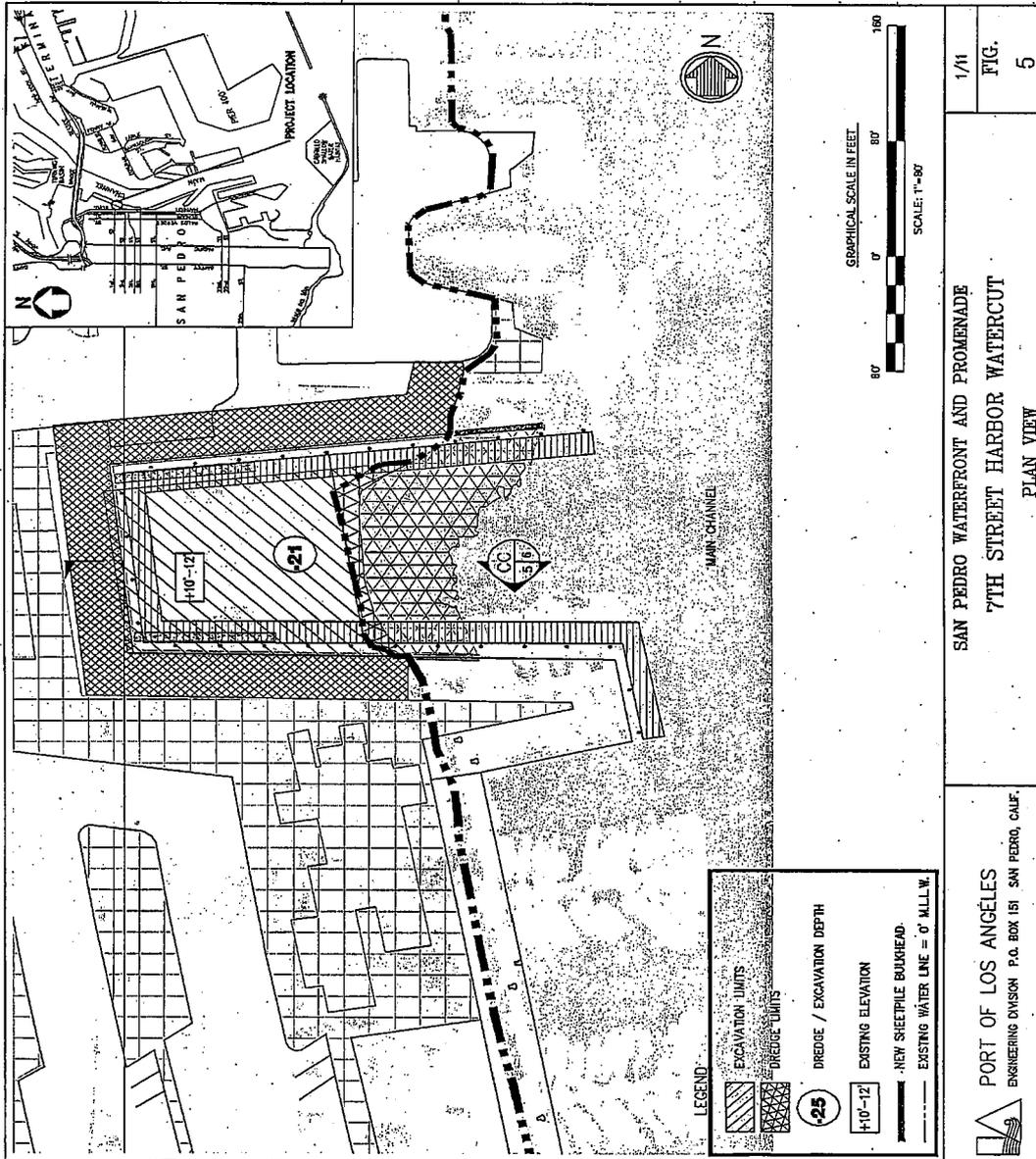


Figure 4. San Pedro Waterfront Project – Areas to be Dredged and Excavated Within the 7th Street Watercut.

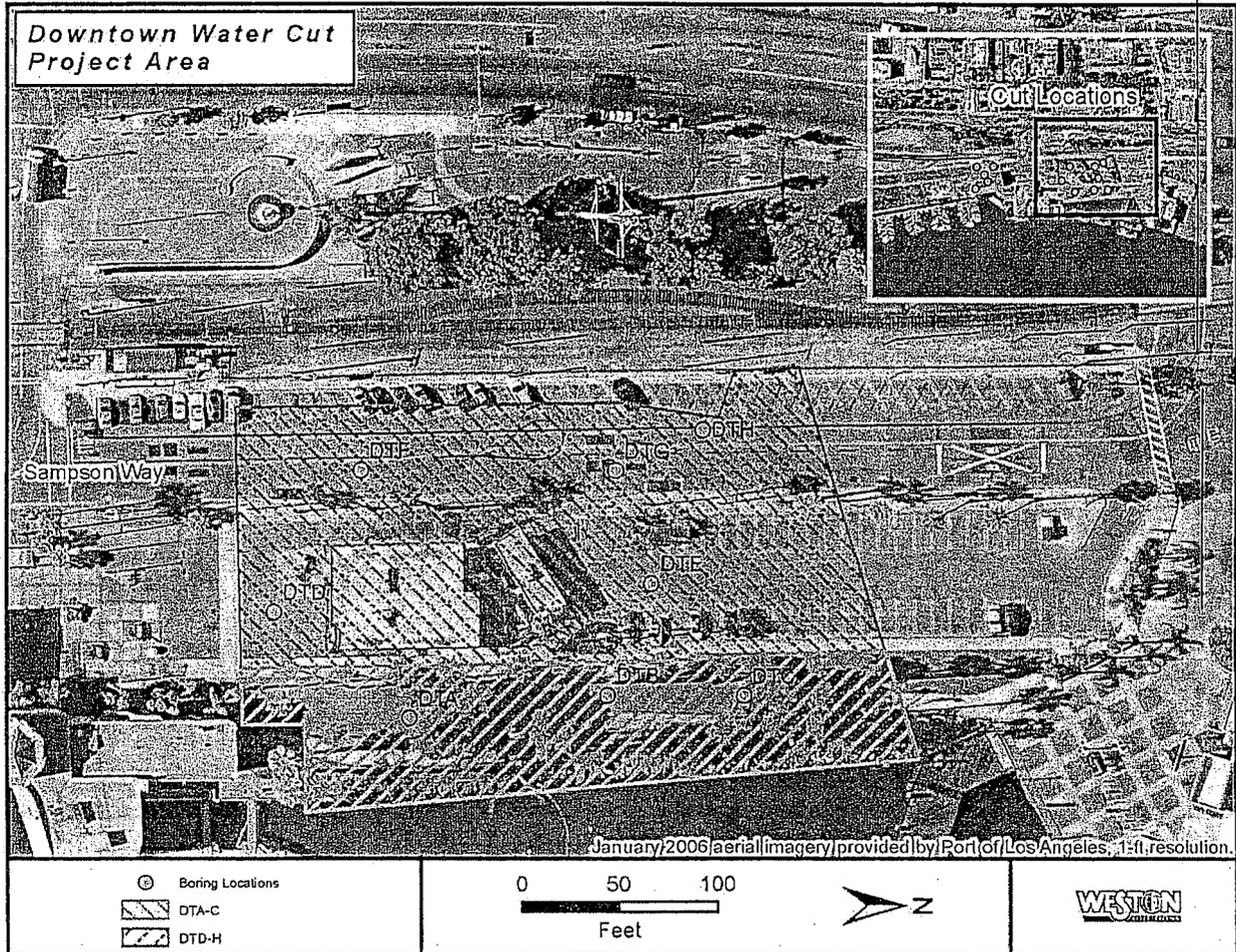


Figure 5. Location of sampling locations for the initial sediment characterization of the Downtown Watercut area (2008).

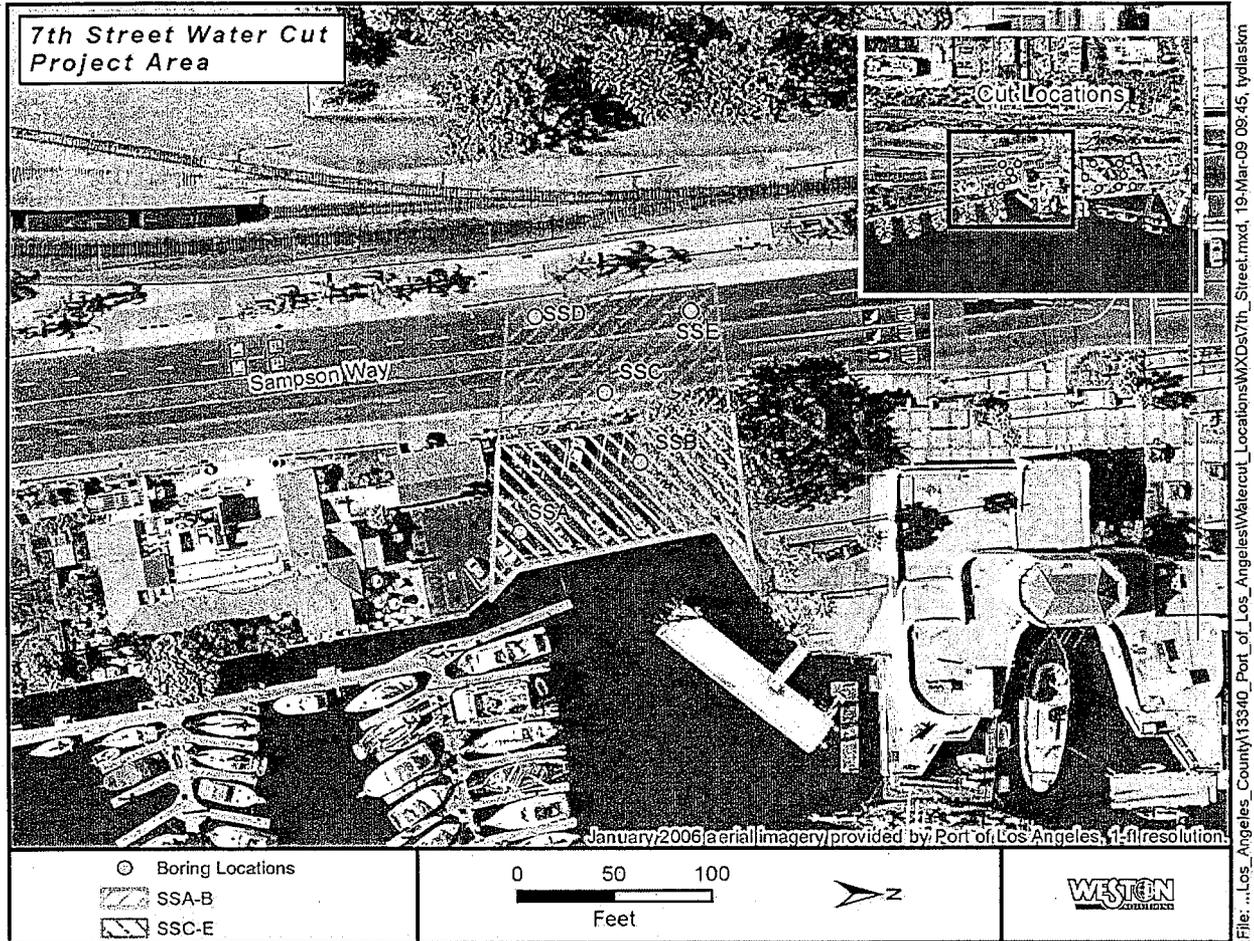


Figure 6. Location of sampling locations for the sediment characterization of the 7th Street Watercut area (2008).

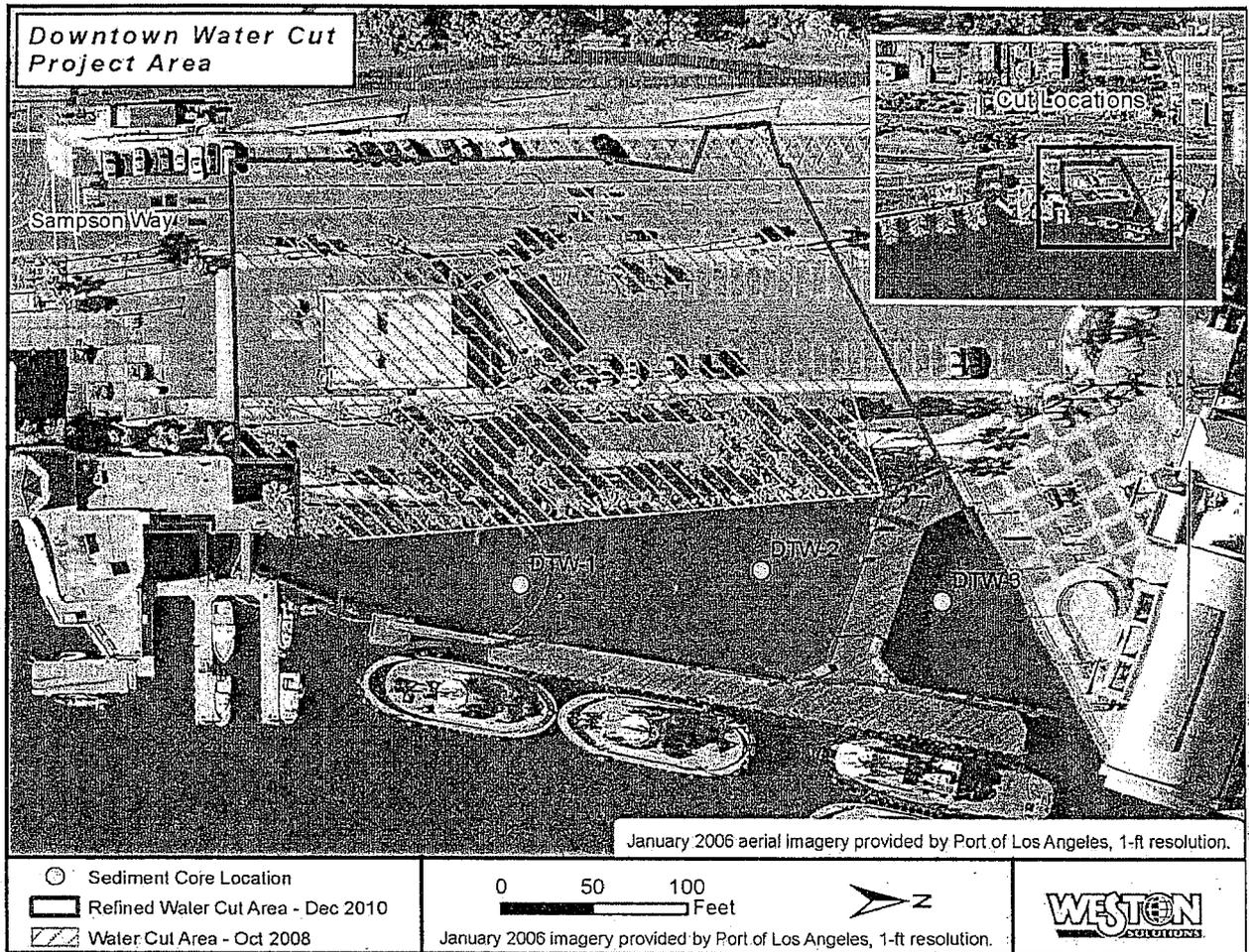


Figure 7. Location of sampling locations for the supplemental sediment characterization of Downtown Water Cut area (2011).

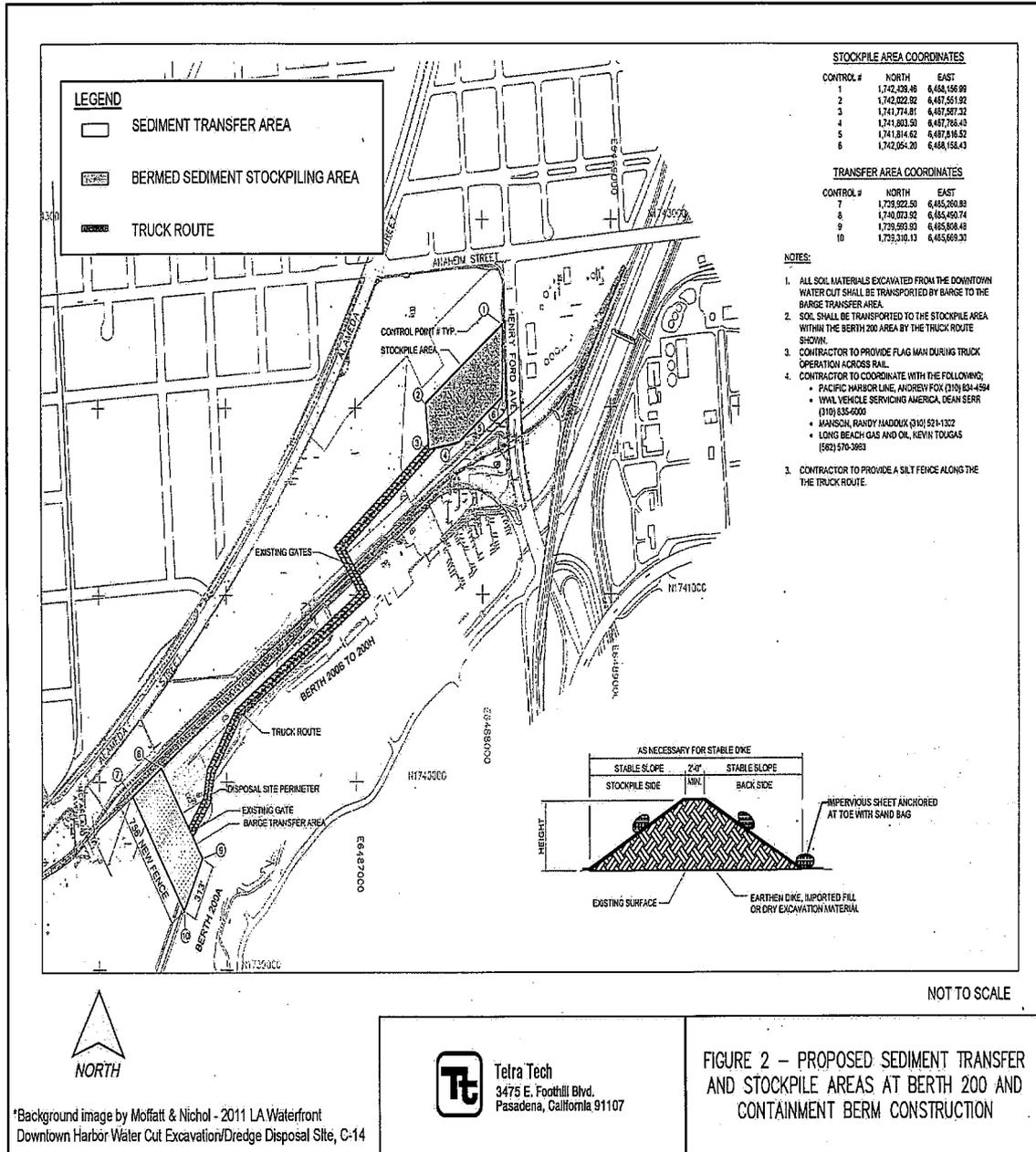


Figure 8. Proposed sediment transfer and stockpile areas at Berth 200 and containment berm construction.

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

MONITORING AND REPORTING PROGRAM NO. 9752
FOR
PORT OF LOS ANGELES
(SAN PEDRO WATERFRONT PROJECT)
(FILE NO. 11-082)

1. Receiving Water Monitoring

The following sampling protocol shall be undertaken by the Port of Los Angeles 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 ¹	mg/l	A-E	Weekly ²
Light transmittance ¹	% Transmittance	" "	"
pH ¹	pH units	" "	"
Suspended solids ³	mg/l	" "	"

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

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

³Mid-depth shall be sampled.

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 Port of Los Angeles shall conduct the standard water quality monitoring described above for three consecutive days following the date of exceedance. The Port 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 Port 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 Port 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 Port 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.

4. 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, Environmental Laboratory Accreditation Program (ELAP), or approved by the Executive Officer.

The Port of Los Angeles 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.

5. Reporting

Monitoring reports shall be submitted within 10 days following each weekly sampling period. In reporting, the Port of Los Angeles 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 Department of Health Services 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.

6. General Provisions for Reporting

For every item where the requirements are not met, the Port of Los Angeles 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:


SAMUEL UNGER, P.E.
Executive Officer

Date: September 1, 2011