

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2012-0077

AMENDING GENERAL ORDER WASTE DISCHARGE REQUIREMENTS
ORDER NO. R5-2004-0061

UNITED STATES ARMY CORPS OF ENGINEERS AND
PORT OF STOCKTON
STOCKTON DEEP WATER SHIP CHANNEL MAINTENANCE DREDGING ACTIVITIES
CHANNEL MILE 0.0 to 41.0
CONTRA COSTA, SACRAMENTO, AND SAN JOAQUIN COUNTIES

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Regional Board) finds:

1. On 23 April 2004, the Regional Board adopted General Order Waste Discharge Requirements (General Order) and Monitoring and Reporting Program Order No.R5-2004-0061, prescribing waste discharge requirements for the U.S. Army Corps of Engineers and the Port of Stockton.
2. The maintenance dredging activities regulated in General Order No. R5-2004-0061 include disposal or discharge of dredge sediments into diked disposal sites on land, discharges of effluent from the Dredge Material Placement (DMP) sites into surface water, pre-dredge sampling, and water quality monitoring during dredging operations.
3. Maintenance dredging is defined In General Order No. R5-2004-0061, as maintenance of the Stockton Deep Water Ship Channel to a depth of 35 feet (plus two-foot allowable over-dredge) for navigation of ship traffic to the Port of Stockton, from approximately mile 4.4 of the San Joaquin River's Deep Water Ship Channel, to the turning basin at RM 41.0 of the Port of Stockton. Maintenance dredging also includes a section of 40-foot depth, with no allowable over dredge, from River Mile (RM) 39.3 to 40.2 in the "sediment trap" section designed to trap sediments entering the DWSC from the San Joaquin River.
4. General Order R5-2004-0061 lists seven (7) approved DMP sites for which dredged material from the DWSC can be directly placed, and authorizes direct placement of dredged material to those identified sites, or to any dredged material placement site "*approved for accepting dredge materials form the Stockton Deep Water Ship Channel.*"

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5. GO R5-2004-0061 Discharge Specifications C.11 authorizes beneficial reuse of dredged material from the DMP sites. *"After drying, the solid material may be removed for beneficial reuse at of the locations subject to restrictions specified in the Notice of Applicability."* Reuse options authorized in the GO may be restricted by the quality of the sediment.
6. Currently DMP sites used by the Port of Stockton and the Port of Sacramento contain millions of cubic yards of dredged material classified as inert. Despite demand for fill material, due to the prohibitively high logistical cost for transporting this material by truck to potential reuse sites, very little dredged material is beneficially reused. Increasing stockpiles of dredged sediment in these DMP sites, limits the capacity of these DMP sites for continued placement of maintenance dredged sediments, and increases the likelihood of requiring discharge of effluent water from the DMP sites during placement.
7. In order to facilitate beneficial reuse of dredged material from the Stockton Deep Water Ship Channel, the Port of Stockton and the U.S. Army Corps of Engineers requested that General Order No. R5-2004-0061 be amended to allow direct placement of dredged material at appropriate sites for beneficial reuse.
8. Antioch Dunes National Wildlife Refuge (ADNWR) located along the southern shore of the San Joaquin River, provides protection for three endangered species: the Lange's Metalmark butterfly; the Contra Costa wallflower; and the Antioch dunes evening primrose. ADNWR has requested sandy dredged material from the Stockton and Sacramento DWSC to be beneficially reused at the reserve in order to create sand dune habitat for these endangered species.
9. General Order R5-2004-0061 prescribes requirements for maintenance dredging of ship channels and contains specific discharge and monitoring requirements. For each proposed dredging project, the Discharger must submit a Notice of Intent, which includes analysis of the sediments to be dredged, and details of the proposed placement site. The Executive Officer only issues a Notice of Applicability for the project if the sediment will not impact water quality.
10. Monitoring requirements for receiving water monitoring in the Monitoring and Reporting Program (MRP) R5-2004-0061 specify a sampling frequency of once per eight hours, for turbidity, dissolved oxygen, pH and temperature. This

sampling frequency requires sampling across two or more work shifts by different operators, and has not been shown to be necessary to provide required water quality data. By comparison, the sampling frequency for these parameters in the Sacramento DWSC is once per day. Discharger has requested the sample frequency to be changed to once per 12 hours so that one trained sampling technician can collect water quality samples at the beginning and the end of a single 12-hour work shift.

11. The beneficial uses of the Sacramento-San Joaquin Delta are municipal supply; domestic supply; agricultural irrigation; process; service supply; water contact recreation; noncontact water recreation; warm fresh water habitat; cold fresh water habitat; warm water migration; cold water migration; warm water spawning; wildlife habitat; and navigation.
12. The action to update General Order No. 5-01-116 is exempt from the provisions of the CEQA, in accordance with Title 14, California Code of Regulations (CCR), Section 15301.
13. The Regional Board has notified the Discharger and interested parties of its intent to amend waste discharge requirements for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
14. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.
15. This Order shall amend General Order Waste Discharge Requirements Order No. R5-2004-0061, and shall take effect upon the date of hearing.

IT IS HEREBY ORDERED that, pursuant to Water Code sections 13263 and 13267, General Order Waste Discharge Requirements Order No. R5-2004-0061 is amended solely to allow the discharge of sediment dredged from the Stockton Deep Water Ship Channel to additional sites as approved by the Regional Board for direct placement and/or beneficial reuse, and to change the water quality sampling frequency during dredging operations.

The U.S. Army Corps of Engineers and the Port of Stockton, their agents, successors and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with Amended Order No. R5-2004-0061-001.

Waste Discharge Requirements

Page 3, Finding #12 Insert the following at the end of Finding #12 to read:

In addition to DMD sites listed in Table 1, this Order authorizes the direct beneficial reuse of dredged material to sites identified and approved by the Regional Board.

Page 5, Finding #22 Change the last sentence in Finding #22 to read:

After dewatering, the dredged material in Scour Pond I and McCormack Pit may be beneficially reused.

Page 16, Applicability #A.3 Change second sentence of A.3 to read:

Sediments with values below the concentrations in Table A.3 may be discharged to DMD sites listed in this Order, and other appropriate sites approved by the Regional Board for direct placement and/or reuse.

Page 23, Prohibition B.3 Change Prohibition B.3 to read:

The discharge of dredged materials other than to a Dredged Material Disposal site specifically designed for their containment, or to a site approved by the Regional Board for direct placement and/or beneficial reuse, is prohibited.

Page 25, Discharge Specification C.1 Change Discharge Specification C.1 to read:

The discharge of dredged materials shall only be to the sites identified in Table 1 of this Order; to a DMD Site with Waste Discharge Requirements approved for accepting dredge materials from the Stockton Deep Water Ship Channel; or to a site specifically approved by the Regional Board for direct placement and/or beneficial reuse.

Page 32, Provision G.7 Omit Provision G.7 and renumber from G.6.

Monitoring and Reporting Program

Page 4, Dredge Site Receiving Water Monitoring

Change Sample collection frequency for Turbidity, Dissolved Oxygen, pH and Temperature to:

“Once per 12 hours¹”

Change Footnote 1 to read:

“The Discharger shall collect a sample every 12 hours in which dredging operations occur.”

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

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 3 August 2012.

Original signed by

PAMELA C. CREEDON, Executive Officer