

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2007-0158

AMENDING WASTE DISCHARGE REQUIREMENTS
ORDER No. R5-2006-0078
FOR
PORT OF STOCKTON
WEST COMPLEX DOCKS 14 AND 15 DREDGING PROJECT
ROBERTS ISLAND NO. 1 DREDGED MATERIAL DISPOSAL SITE
SAN JOAQUIN COUNTY

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

1. On 4 August 2006 the Regional Board adopted Waste Discharge Requirement Order R5-2006-0078 for the Port of Stockton West Complex Docks 14 and 15 Dredging Project.
2. The dredging activities regulated in Order R5-2006-0078 include dredging at two West Complex docks; discharge of dredged sediments into a diked dredged material disposal site for dewatering; and final placement of the dewatered dredged material.
3. Order R5-2006-0078 required that, "The dredged sediment shall be removed for authorized reuse no later than 31 October 2007."
4. In September 2006, the Port of Stockton dredged Dock 15. However, a legal challenge to the Port's Army Corps of Engineers 404 permit prevented the Port from dredging Dock 14.
5. In August 2007, the legal challenge was settled, allowing the Port to dredge Dock 14.
6. On 14 September 2007, the Port submitted a Report of Waste Discharge (RWD) requesting that Waste Discharge Requirement Order R5-2006-0078 be amended to change the dredged material reuse requirements.
7. In the RWD, the Port requests that the required reuse date for the sediment dredged from Dock 14, to be changed to 31 October 2008. The dredged material from Dock 15 would be required to be reused by 31 October 2007.
8. This change in reuse date for the Dock 14 dredged material provides the same water quality protection as the initial date in Order R5-2006-0078. The change would allow the material to dry and enable the Port of Stockton to handle and reuse the material.
9. 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.

10. The action to amend Waste Discharge Requirements Order No. R5-2006-0078 is exempt from the provisions of the CEQA, in accordance with Title 14, California Code of Regulations (CCR), Section 15301.
11. 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.
12. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.
13. This Order shall amend Waste Discharge Requirements Order No. R5-2006-0078, and shall take effect upon the date of hearing.

IT IS HEREBY ORDERED that Waste Discharge Requirements Order No. R5-2006-0078 is amended solely to allow the date required for reuse of sediment dredged in 2007. 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. R5-2006-0078:

Page 18 **D. RN1 Site-Soil Limitation and Reuse Specification**

Modify paragraph 1 as follows (addition in bold):

The dredged sediment, **removed in 2006**, shall be removed for authorized reuse no later than 31 October 2007. **The sediment dredged in 2007 shall be removed for authorized reuse no later than 31 October 2008.** Placement and reuse of the dredged sediment will be restricted to use as foundation material beneath engineered covers such as buildings, foundation slabs, parking lots or roadways; and at least two feet above any significant groundwater bearing zone.

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 26 October 2007.

PAMELA C. CREEDON, Executive Officer