

EXECUTIVE OFFICER SUMMARY REPORT
January 24, 2007

ITEM: 10

SUBJECT: Revision of Waste Discharge Requirements: Port of San Diego, Campbell Shipyard Bay Sediment Cap, Closure and Maintenance, San Diego Bay (Tentative Addendum No. 2 to Order No. R9-2004-0295) (*Dat Quach*).

PURPOSE: To consider the adoption of Tentative Addendum No. 2 to Order No. R9-2004-0295 that will increase the amount of dredged material from 41,000 cubic yards to 56,000 cubic yards of sediment at the former Campbell Shipyard site.

PUBLIC NOTICE: A Notice of Availability of tentative Addendum No. 2 to Order No. R9-2005-0295 was posted in the Web site of the San Diego Regional Water Quality Control Board on December 19, 2006.

DISCUSSION: Order No. R9-2004-0295, *Waste Discharge Requirements for the Port of San Diego, Campbell Shipyard Bay Sediment Cap, Closure and Post Closure Maintenance, San Diego Bay*, and its Addendum No. 1 establish requirements for the dredging and disposal of up to 41,000 cubic yards of sediment at the former Campbell Shipyard site.

By letter dated November 30, 2006, the Port of San Diego (Port District) requested to modify Order No. R9-2005-0295 to increase the amount of dredged material from 41,000 cubic yards to 56,000 cubic yards of sediment at the former Campbell Shipyard site. The Port District also stated that the maximum dredge depth will be -38 feet mean lower low water, plus two feet overdredge.

Tentative Addendum No. 2 to Order No. R9-2005-0295, if adopted, will establish requirements for the increased dredging and disposal of up to a total of

56,000 cubic yards of sediment at the former Campbell Shipyard site.

KEY ISSUES

This request from the Port of San Diego for authorization to establish a thicker cap and remove and dispose of more contaminated sediment will facilitate improvement of water quality in San Diego Bay. Since the contracted dredging equipment is ready to work on site, expediting adoption of this Tentative Addendum No. 2 will help the Port of San Diego to move forward quickly on this important bay sediment remediation project.

LEGAL CONCERNS:

None.

SUPPORTING DOCUMENTS:

1. Location Maps
2. Tentative Addendum No. 2 to Order No. R9-2004-0295.
3. Transmittal letter to the Port of San Diego
4. Port of San Diego's letters dated December 20, 2006, and November 30, 2006.

SIGNIFICANT CHANGES

Increasing the dredging amount from 41,000 cubic yards to 56,000 cubic yards.

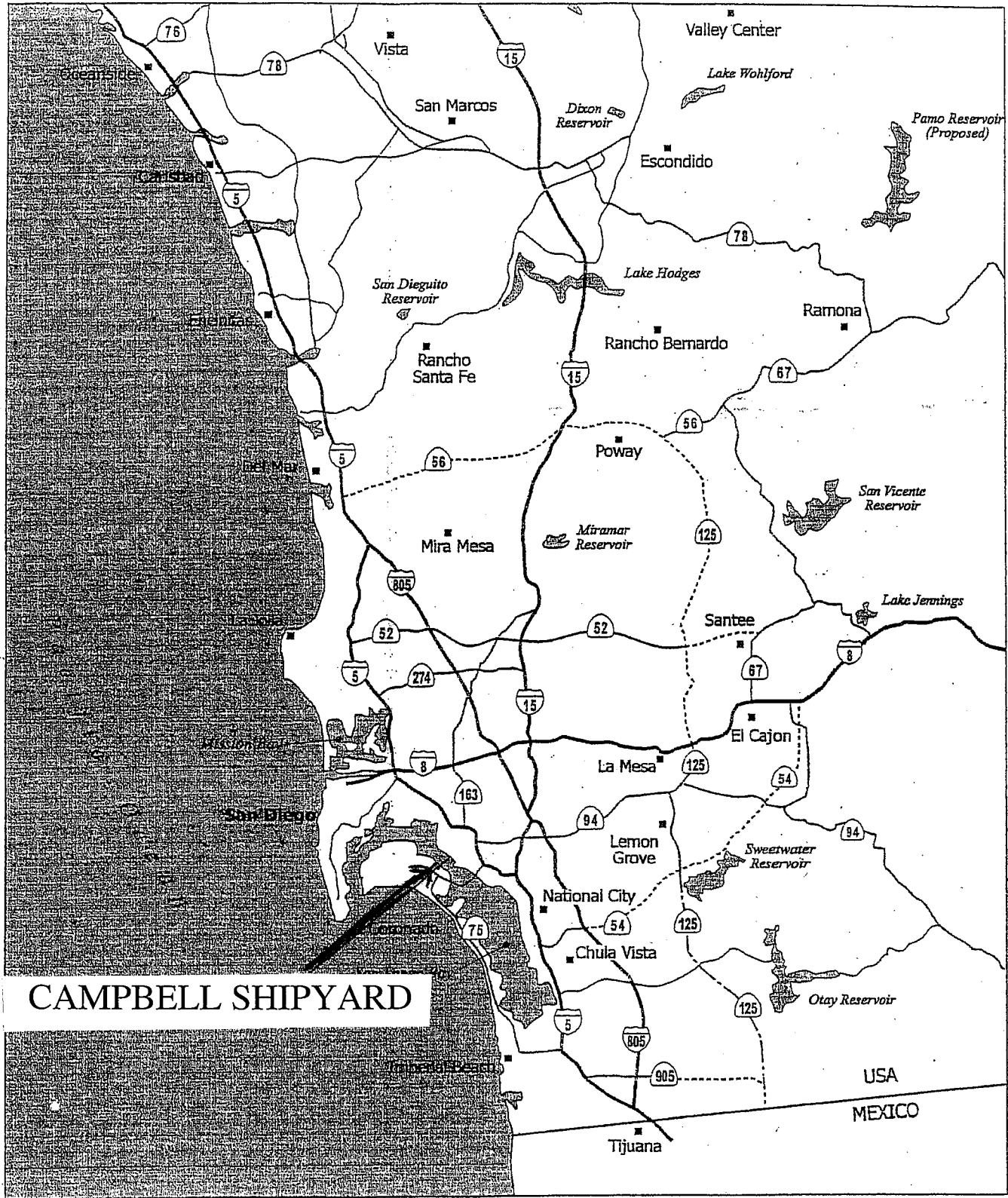
COMPLIANCE RECORD:

On January 21, 2005, the San Diego Regional Board sent a Notice of Violation to the Port District for failing to submit the Sampling and Analysis Plan (SAP) and Quality Assurance Plan (QAPP) in accordance with Directive K. of the Monitoring and Reporting Program Order No. 2004-0295. The plans were due on December 31, 2004. On March 4, 2005, the Port District submitted the requested information.

RECOMMENDATION(S):

Adoption of Tentative Addendum No. 2 to Order No. R9-2005-0295 is recommended.

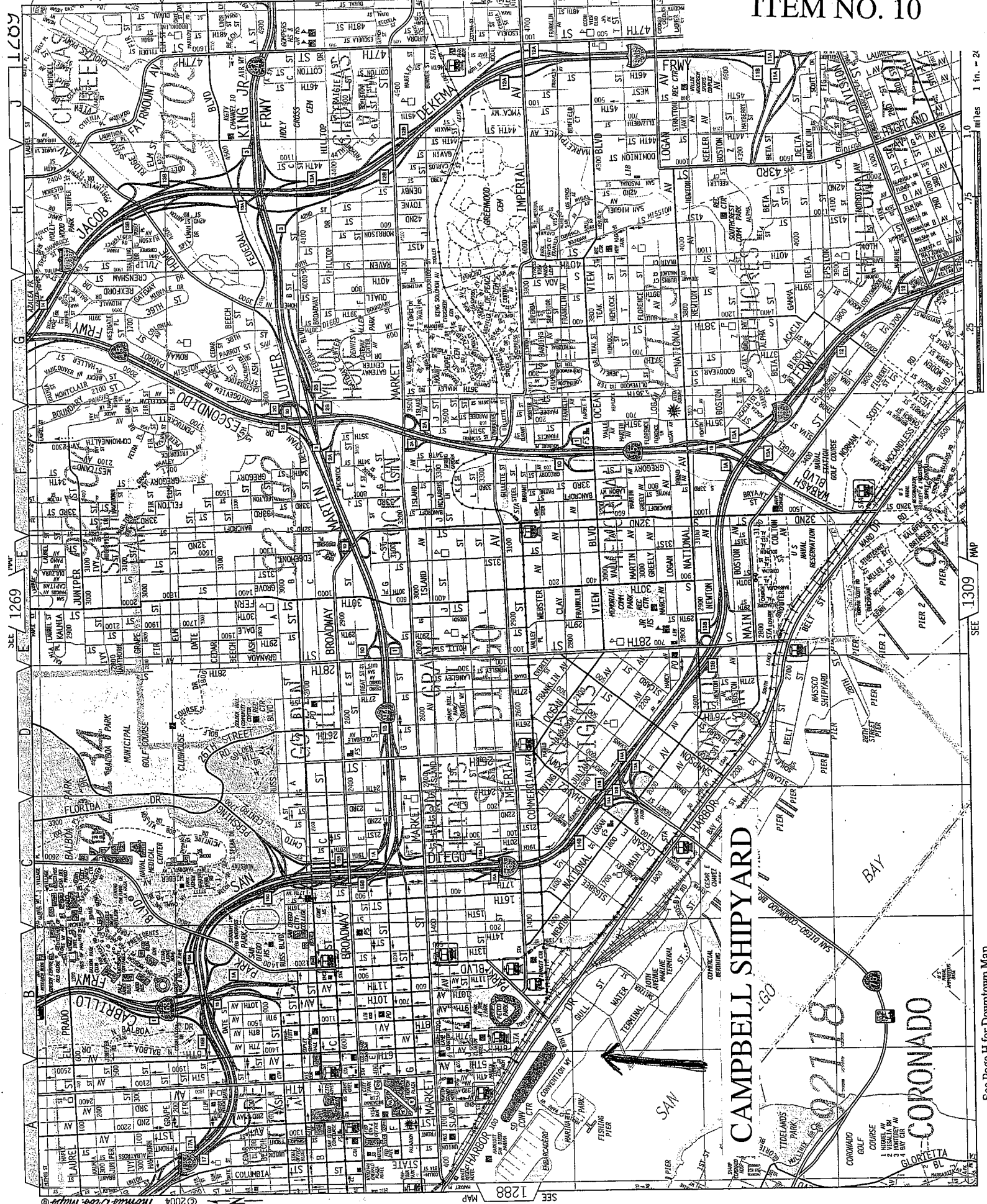
ITEM NO. 10



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 No Scale

Regional Location



SEE 1269 MAP

SEE 1309 MAP

See Page H for Downtown Map

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**TENTATIVE ADDENDUM NO. 2
TO
ORDER NO. R9-2004-0295
AN ADDENDUM MODIFYING THE AMOUNT OF DREDGING
FOR THE
PORT OF SAN DIEGO
CAMPBELL SHIPYARD BAY SEDIMENT CAP
CLOSURE AND POST CLOSURE MAINTENANCE
SAN DIEGO BAY**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. On October 13, 2004, the Regional Board adopted Order No. R9-2004-0295, Waste Discharge Requirements for the Port of San Diego, Campbell Shipyard Bay Sediment Cap, Closure and Post Closure Maintenance, San Diego Bay. Order No. R9-2004-0295 establishes requirements for the dredging and disposal of up to 35,900 cubic yards of sediment at the former Campbell Shipyard site.
2. On August 10, 2005, the Regional Board adopted Addendum No. 1 to Order No. R9-2004-0295, An Addendum Modifying the Amount of Dredging for the Port of San Diego, Campbell Shipyard Bay Sediment Cap, Closure and Post Closure Maintenance, San Diego Bay. Order No. R9-2004-0295 and Addendum No. 1 establishes requirements for the dredging and disposal of up to 41,000 cubic yards of sediment at the former Campbell Shipyard site.
3. By letter dated November 30, 2006, the Port of San Diego (Port District) requested to modify Order No. R9-2004-0295 to allow dredging and disposal of up to 56,000 cubic yards of sediment at the former Campbell Shipyard site. The Port District also stated that the maximum dredge depth will be -38 feet mean lower low water, plus two feet overdredge.
4. The Port District has determined that the proposal to increase the amount of dredged material from 41,000 to 56,000 cubic yards is in substantial compliance with the environmental impact information contained in the Final SEIR, and that no further environmental review is required.
5. The Regional Board has considered all environmental factors associated with the proposed discharge.
6. The Regional Board has notified all known interested parties of its intent to modify waste discharge requirements for the proposed discharge.

IT IS HEREBY ORDERED, that:

DREDGING OPERATION SPECIFICATION No. B.1. is revised as:

B. 1. VOLUME

The volume of material dredged for Campbell Shipyard project shall not exceed 56,000 cubic yards unless the discharger obtains revised waste discharge requirements for the proposed increase.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Board, San Diego Region, on January 24, 2007.

Ordered by: **TENTATIVE**

John H Robertus
Executive Officer



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA



Arnold Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
<http://www.waterboards.ca.gov/sandiego>

December 18, 2006

Ms. Eileen M. Maher
Assistant Director
Port of San Diego
P.O. Box 120488
San Diego, CA 92112-0488

VIA CERTIFIED MAIL

7004 0810 0000 6389 0558

In reply refer to:

WPS:05-1256.02:quacd

Dear Ms. Maher:

SUBJECT: TENTATIVE ADDENDUM NO. 2 TO ORDER NO. R9-2004-0295, WASTE DISCHARGE REQUIREMENTS FOR THE PORT OF SAN DIEGO, CAMPBELL SHIPYARD BAY SEDIMENT CAP, CLOSURE AND POST CLOSURE MAINTENANCE, SAN DIEGO BAY

Enclosed for your review is a copy of the subject tentative Addendum. This tentative Addendum, and any changes therein, will be presented to the Regional Board at its January 24, 2007 meeting. If adopted by the Regional Board, Addendum No. 2 to Order No. R9-2004-0295 would authorize the dredging of up to 56,000 cubic yards of material from the former Campbell Shipyard site.

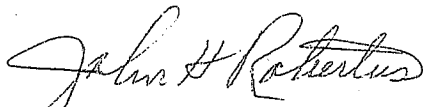
The January 24, 2007 meeting is open to public participation and will begin at 9:00 a.m. in the Regional Board Meeting Room, San Diego Water Quality Control Board, 9174 Sky Park Court, Suite 100, San Diego. You are welcome to comment on the tentative Addendum at or before the time of the meeting. Please provide written comments no later than 5:00 p.m. on January 10, 2007.

If you have any questions or comments concerning this tentative Addendum, please call Mr. Dat Quach at ~~(619)~~ 467-2978 or email Dquach@waterboards.ca.gov.

(858)

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

Respectfully,



JOHN H. ROBERTUS
Executive Officer
San Diego Regional Water Quality Control Board

JHR: dg:dtq

Enclosures

cc: w/enclosure

Bill Hereth
Division of Water Quality
State Water Resources Control Board
Sacramento

John Richards
Office of the Chief Counsel
State Water Resources Control Board
Sacramento

Mr. Joe Mello
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Mr. Rich Boylan
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State Water Resources Control Board
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Sacramento, CA 94244-2120

Ms. Kerry McNeill
Local Enforcement Agency
Department of Environmental Health
County of San Diego
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Mr. Bill Paznokas
California Department of Fish and Game
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Mr. Mike Chee
National Steel and Shipbuilding Company
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Ms. Therese O'Rourke
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Mr. Sandor Halvax
Southwest Marine Inc.
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San Diego, CA 92170-3308

Mr. Scott Sobiesch
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Mr. David Merk
Port of San Diego
P.O Box 120488
San Diego, CA 92112-0488

Mr. Paul Brown
Port of San Diego
P.O Box 120488
San Diego, CA 92112-0488

Ms. Denise Klimas
National Oceanic and Atmospheric Admin
NOAA
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Sacramento, CA 95826

Ms. Robert Smith
U.S. Army Corps of Engineers
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San Diego, CA 92127

Mr. Marcos Gonzales, Esq.
Surfrider Foundation, San Diego Chapter
P.O Box 1511
Solana Beach, CA 92075

Mr. Bruce Reznik
Bay Keeper
2924 Emersion St. Suite 220
San Diego, CA 92106

Ms. Laura Hunter
Environmental Health Coalition (EHC)
1717 Kettner Blvd # 100
San Diego, CA 92101

Mr. Ed Kimura
Sierra Club, San Diego Chapter
3820 Ray Street
San Diego, CA 92104

Mr. Bob Brodberg
OEHHA
P.O Box 4010
Sacramento, CA 95812

Mr. Jim Peugh
San Diego Audobon Society
2776 Nipoma Street
San Diego, CA 92106

File: 05-1256.02



Unified Port
of San Diego

3165 Pacific Highway, San Diego, CA 92101
P.O. Box 120488, San Diego, CA 92112-0488
619.686.6200 www.portofsandiego.org

December 20, 2006

Mr. John H. Robertus
Executive Officer
Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4353

Re: Campbell Shipyard Clean-up

Dear Mr. Robertus

Thank you for your responsiveness in putting the Campbell Shipyard Sediment Remediation Waste Discharge Requirements amendment before your board at the earliest possible date. As you know, this project is key to our moving forward on this important bay sediment remediation project. The attached cover letter describes the particular project issues and proposed changes to the permit.

If you have any questions or would like to discuss this matter further, please do not hesitate to call me at (619) 686-7239.

Sincerely,

David Merk, Director
Environmental Services

DM:PB:jh
Attachment
File: Campbell Waterside Remediation
cc: David Merk
John Minan, Chair, SD RWQCB
Docs #212222

Jennifer Kraus

2007 JAN 4 A 1:13

SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD



**Unified Port
of San Diego**

3165 Pacific Highway, San Diego, CA 92101
P.O. Box 120488, San Diego, CA 92112-0488
619.686.6200 www.portofsandiego.org

November 30, 2006

Mr. Robert Smith
Regulatory Branch
Department of the Army
Los Angeles District, Corps of Engineers
P.O. Box 532711
Los Angeles, CA 90053-2325

Ms. Jennifer Lucchesi
Public Land Management Specialist
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

LOW REC-4 P 12:10
CONTROL BOARD

Mr. John H. Robertus
Executive Officer
Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123

SUBJECT: Modification of Campbell Shipyard Permits,
Army Corps of Engineers #199915203-JLB,
RWQCB Order #R9-2004-0295,
State Lands Commission Lease PRC8548/File Reference W26000

Dear Sirs/Madam:

The Port of San Diego (Port) would like to modify our existing permits to allow for additional dredging and cap material placement for the sediment remediation and aquatic enhancement cap at the former Campbell Shipyard site. Attached is a color drawing of "total cap progress" on the north side of the Mole Pier. Based on this drawing, our contractor is actually building a 6 to over 7-foot thick cap. The original design was a 5-foot cap.

In order to maintain essential navigation depths to the Tenth Avenue Maritime Terminal, the Port needs to dredge deeper to accommodate the over placement and building of a 7-foot cap. Enclosed are drawings showing the "potential alternative" dredge depths we are requesting. These depths are 2 feet deeper than the original design, plus we are requesting 2-feet of overdredge, for a maximum dredge depth of -38 feet mean lower low water, plus overdredge.

Since the contractor is placing additional cap material, we are requesting modification of our permits to increase the dredging and capping material quantities to:

Material	Original Permit Quantity	Additional	Revised Quantity
Dredging	41,000 cubic yards	+15,000 cubic yards	56,000 cubic yards
Sand Cap	52,000 tons	+28,000 tons	80,000 tons
Gravel	33,000 tons	+17,000 tons	50,000 tons
Armor Rock	60,000 tons	+16,000 tons	76,000 tons
Revetment/Foundation Rock	48,000 tons	+9,000 tons	57,000 tons

Based on the amount of material placed on the north cap, we believe that these new quantities will accommodate over placement and construction of a 7-foot cap.

Mr. Robert Smith
Mr. John H. Robertus
Ms. Jennifer Lucchesi
Page 2
November 30, 2006

Enclosed you will find Addendum #1 to the Final Environmental Impact Report, CEQA compliance to perform these additional changes. Also enclosed you will find a modification to the approved Coastal Development Permit indicating that the proposed modifications remain consistent with our Port Master Plan and the Coastal Act.

The Port anticipates our contractor, Traylor Pacific, will begin this additional dredging and capping operations on the south side of the mole pier in December 2006. First they will remove the geotextile layer that is already in place, then dredge, then begin relaying the geotextile layer and begin the remainder of the capping operations. Dredging will continue with a clamshell bucket and disposal of the dredge material will be upland at the Otay Landfill. Traylor Pacific anticipates completing construction in late spring or early summer of 2007.

The Port would appreciate a prompt and a positive response to our request for these permit modifications. If you have any questions, please do not hesitate to contact me at 619-686-6254.

Sincerely,



Eileen M. Maher, Assistant Director
Environmental Services

EMM:rlg

Enclosures

File: Campbell Waterside Remediation
cc: David Merk
Karen Weymann
Mahmoud Akhavain
Bill Melton
Carolyn Lieberman, USF&WS
Marilyn Fluharty, Dept. of Fish & Game
Bob Hoffman, National Marine Fisheries
Eric Raffini, EPA
Dat Quach, RWQCB
Brian McDonald, RWQCB

Docs #209578