

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 01-060

REVISED WASTE DISCHARGE REQUIREMENTS, RESCISSION OF ORDER NO. 96-012,
AND WATER QUALITY CERTIFICATION FOR:

PORT SONOMA ASSOCIATES, LLC, MAINTENANCE DREDGING AND DRYING OF
DREDGED SEDIMENTS AT PORT SONOMA MARINA, PETALUMA, SONOMA
COUNTY

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

1. Port Sonoma Associates, LLC, (hereinafter the Discharger) submitted a request, dated December 5, 2000, for renewal of existing Waste Discharge Requirements (Regional Board Order No. 96-012) for maintenance dredging of Port Sonoma Marina, the discharge of dredged sediments at drying ponds adjacent to the Marina, and the discharge of decant water from the ponds to the interior of the Marina.
2. These Waste Discharge Requirements supersede Order No. 96-012, dated January 17, 1996, also for maintenance dredging and drying of dredged sediments at Port Sonoma Marina.
3. This Order also serves as water quality certification pursuant to Section 401 of the Clean Water Act for this activity.
4. The work is authorized by the U.S. Army Corps of Engineers under nationwide Permit No. 16, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (File No. 21918N39).
5. Port Sonoma Marina is located on the east side of the Petaluma River, near its mouth at San Pablo Bay, in Sonoma County (Figure 1). Four dredged material drying ponds are located on Marina property. The Marina is located in an area that is subject to high evaporation rates.
6. Discharge of effluent from dredged material (i.e., supernatant, decant water or return-flow water) takes place at three weirs located on Ponds 1, 2, and 3 (Figure 2). The facility is designed to discharge an average of 325,000 gallons per day of effluent.
7. The Discharger dredges approximately 60,000 cubic yards per year from the Marina. Marina sediments are placed in the four drying ponds on a rotating pattern, depending on the available capacity in each pond. A report, submitted by the Discharger (Treadwell and Rollo, August 1995), provides plans developed for a dredging/drying cycle, pond-by-pond. The plan has been modified to comply with a dredging window between June 1 and October 31 of any year, as recommended by the National Marine Fisheries Service in order to minimize impacts to juvenile salmon and steelhead in the project area.
8. Dredged sediments are hydraulically pumped to the ponds to be dried. After decant water

is allowed to discharge through weirs, the dredged material is worked and turned to promote further drying. When the moisture content of the sediments is decreased to below 80%, the dredged material is dry enough to be trucked to Redwood Landfill for use as cover material. Alternative off-site disposal for the dredged material may be proposed, subject to written approval by the Executive Officer.

9. The Discharger may handle sediments that are non-hazardous but that have been found to be unacceptable for unconfined aquatic disposal. Additional monitoring of decant water from such sediments may be required, depending on levels of constituents of concern.
10. Sediments from the ponds are tested prior to transport for ultimate upland disposal.
11. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on June 21, 1995. This plan was approved by the State Water Resources Control Board and the Office of Administrative Law on July 20 and November 13, 1995, respectively. USEPA approved this Plan and a subsequent amendment in May 2000. A summary of regulatory provisions is contained in Title 23 of the California Code of Regulations, section 3912. The Basin Plan defines beneficial uses and water quality objectives for waters of the State, including surface waters and groundwaters. This order is in compliance with the Basin Plan.
12. The beneficial uses of San Pablo Bay are:
 - a. Water contact recreation
 - b. Non-contact water recreation
 - c. Warm and cold water habitat
 - d. Wildlife habitat
 - e. Marine habitat
 - f. Preservation of rare and endangered species
 - g. Fish Migration and spawning
 - h. Navigation
 - i. Preservation of rare and endangered species
 - j. Fish spawning
 - k. Estuarine Habitat
13. The action to adopt waste discharge requirements for this facility is exempt from the provisions of the California Environmental Quality Act (CEQA), in accordance with Section 15304, Title 14, California Administrative Code.
14. The project is categorically exempt from the requirements of the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, Section 15304(g).
15. The Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements.

16. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section 13330 of the CWC and Section 3867 of Title 23 of the California Code of Regulations (23 CCR).
17. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility 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 that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
18. Certification is conditioned upon total payment of the full fee required in State regulations (23 CCR Section 3833) and owed by the applicant. The Regional Board has received the full fee required, of \$10,000.
19. The Board, in a public meeting, heard and considered all the comments pertaining to the discharge.

IT IS HEREBY ORDERED that Port Sonoma Associates, LLC, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1. The direct discharge of wastes (including dredged sediments) to surface waters or surface water drainage courses is prohibited.
2. The discharge shall not cause degradation of any water supply.
3. The discharge shall remain within the designated disposal area at all times.
4. The dredge and disposal shall not cause a nuisance as defined in Section 13050(m) of the California Water Code.

B. Specifications

1. At no point within a containment area or cell shall the elevation of sediment exceed that of the levees, berms or other containment structures.

C. Effluent Limitations

1. Decant water discharged from the ponds at the previously described weirs shall not exceed the following limits of quality at any time:
 - a. pH: 6.5 - 8.5
 - b. Settlable matter: 1.0 ml/l/hr
 - c. Dissolved sulfide: 0.1 mg/l
 - d. Suspended solids 100 mg/l

D. Receiving Water Limitations

1. The dredging and disposal of waste sediments shall not cause:

- a. Floating, suspended or deposited macroscopic particulate matter or foam in waters of the State at any place more than 100 feet from the dredge or point of discharge of the return flow;
- b. Bottom deposits or aquatic growth in waters of the State at any place;
- c. Alteration of apparent color beyond present natural background levels in waters of the State at any place more than 100 feet from the dredge or points of discharge of the return flow;
- d. Visible floating, suspended, or deposited oil or other products of petroleum origin in waters of the State at any place;
- e. Waters of the State to exceed the following quality limits at any point:

Dissolved Oxygen	5.0 mg/l minimum When natural factors cause lesser concentrations, then this discharge shall not cause further reduction in the concentration of dissolved oxygen.
Dissolved Sulfide	0.1 mg/l maximum
pH	A variation of natural ambient pH by more than 0.5 pH units.
Toxic or other deleterious substances	None shall be present in concentrations or quantities which may cause deleterious effects on aquatic biota, wildlife or waterfowl, or which render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentrations.

- 2. Turbidity of the waters of the State at any point beyond the 100 feet of the discharge of the return flow shall not increase above background levels by more than the following:

<u>Receiving Waters Background</u>	<u>Incremental Increase</u>
<50 units	5 units, maximum
50-100 units	10 units, maximum
>100 units	10% of background, maximum

- 3. The groundwater shall not be degraded as a result of the sediment disposal and handling operation.

E. Provisions

1. The discharge of silt, sand, soil, clay or other earthen materials from dredging, construction or any other on-shore operation in quantities sufficient to cause deleterious bottom deposits or turbidity or discoloration in excess of natural background levels in surface waters is prohibited.
2. Dredging operations shall cease immediately whenever violations or requirements are detected through implementation of the Self-Monitoring Program (Attachment B) and operations shall not resume until alternative methods of compliance are provided. The Discharger shall notify the Regional Board immediately whenever violations are detected and operations shall not resume until the Executive Officer has approved the corrective action plan that will provide alternative methods of compliance.
3. The Discharger shall file with the Regional Board monthly self-monitoring reports performed according to the attached Self-Monitoring Program issued by the Executive Officer or any subsequent revision.
4. The Discharger shall submit copies of all sediment testing and analyses results to the Regional Board for approval prior to transport of dredged material to the upland disposal site.
5. The Discharger shall ensure that the foundation of the site, the levees surrounding the site, and the structures which control leachate, decant water, or surface drainage, are designed, constructed and maintained to withstand conditions generated during the maximum probable earthquake.
6. The Discharger shall install any additional leachate monitoring devices required to fulfill the terms of the Self-Monitoring Program issued to the Discharger in order that the Board may evaluate compliance with the conditions of this order.
7. The discharge of any hazardous, designated or non-hazardous waste as defined in Title 23, Division 3, Chapter 15 of the California Administrative Code, to the disposal site is prohibited. Only dredged material that has been demonstrated to be non-hazardous may be discharged to the disposal site.
8. The Discharger shall remove and relocate any wastes which are discharged at this site in violation of these requirements.
9. The Discharger shall file with this Board a report of any material change or proposed change in the character, location, or quantity of this waste discharge. For the purpose of these requirements, this includes any proposed change in the boundaries of the dredging and disposal areas, change in the ownership of the site, and change in use of the site.
10. The Discharger shall maintain a copy of this Order at the site so as to be available at all times to site operating personnel.
11. The property owner and site operator is considered to have full responsibility for correcting any and all problems which arise in the event of a failure resulting in an unauthorized release of waste or wastewater.

12. The Discharger shall maintain all devices or designed features installed in accordance with this Order such that they function without interruption for the life of the operation.
13. The ultimate off-site disposal of the dried dredge material is subject to the approval of the Executive Officer. This approval shall be based upon a demonstration that the ultimate disposal will occur at a site which has Waste Discharge Requirements from this Regional Board or a site that has received a waiver of Waste Discharge Requirements.
14. The Discharger shall permit the Regional Board or its authorized representative, upon presentation of identification:
 - a. Entry onto the premises on which wastes are located or in which records are kept.
 - b. Access to copy any records required to be kept under the terms and conditions of this Order.
 - c. Inspection of any treatment equipment, monitoring equipment or monitoring method required by this Order.
 - d. Sampling of any discharge or surface water covered by this Order.
15. This Order does not remove liability under federal, state or local laws, regulations or rules of other programs and agencies nor does this Order authorize the discharge of wastes without appropriate permits from other agencies or organizations.
16. This Order shall expire five years from the date of issuance.
17. This Order supersedes Waste Discharge Requirements Order No. 96-012. Order No. 96-012 is hereby rescinded.

I, Loretta Barsamian, Executive Officer, do hereby certify that the foregoing is a full, complete and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 19, 2001.



LORETTA K. BARSAMIAN
EXECUTIVE OFFICER

Attachments:

- A: Figures
- B: Self-Monitoring Program

ATTACHMENT A
FIGURES

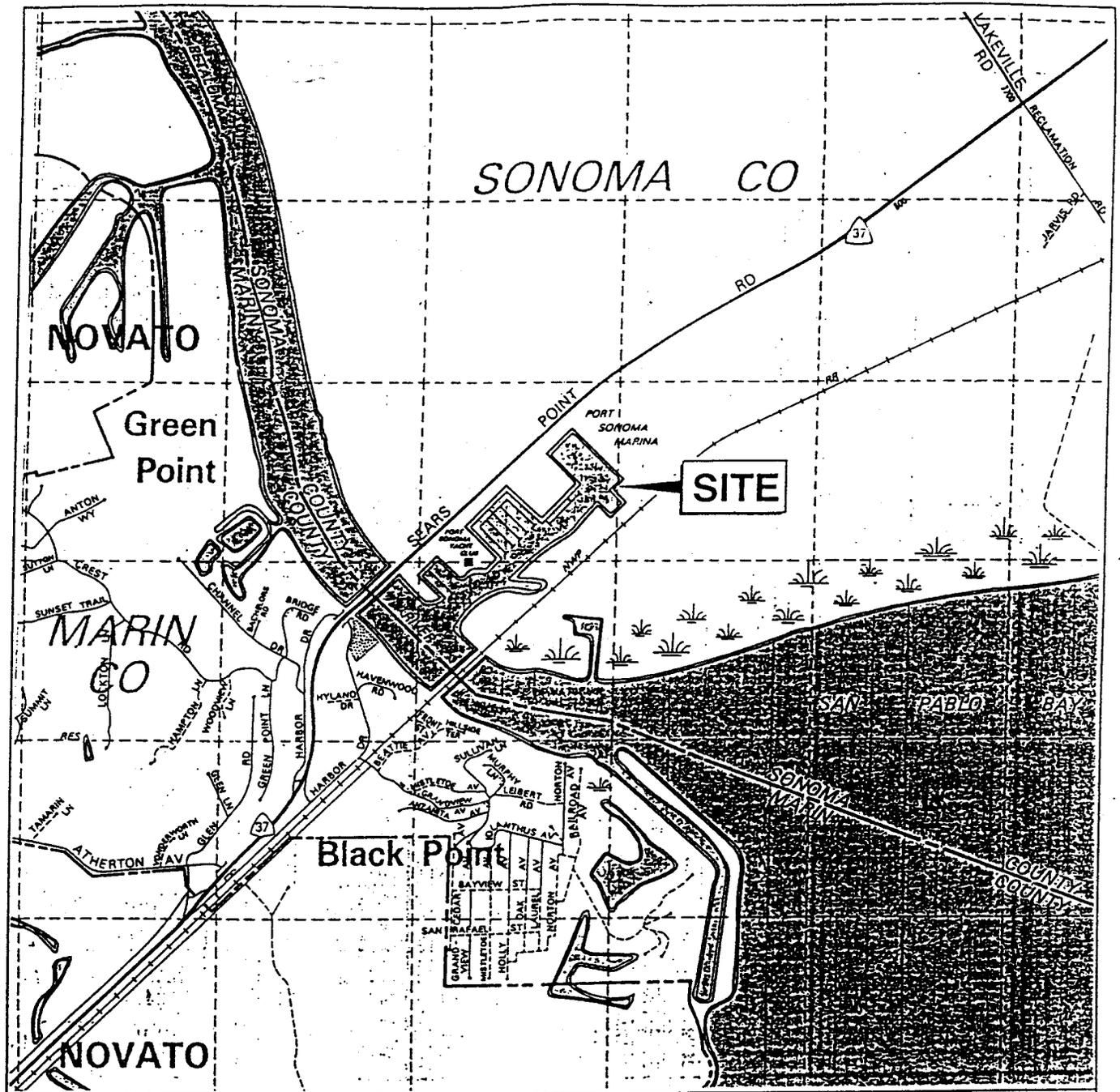
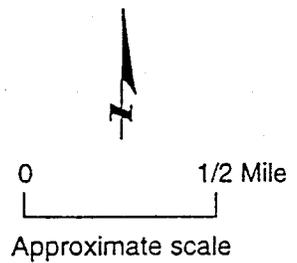


Figure 1. Vicinity Map



Purpose: Maintenance dredging
Quantity: 60,000 cy/yr
Adjacent Property Owners: See application
Datum: MLLW

Project: Port Sonoma Marina Maintenance Dredging
Applicant: Port Sonoma Associates L.L.C
County: Sonoma
in/at: Petaluma River at Hwy 37

ATTACHMENT B
SELF-MONITORING PROGRAM

CALIFORNIA REGIONAL WATER QUALITY CONTROL PLAN

SAN FRANCISCO BAY REGION

SELF-MONITORING PROGRAM

FOR:

REGIONAL BOARD ORDER NO. 01-060

PORT SONOMA ASSOCIATES, LLC

MAINTENANCE DREDGING AND DRYING OF DREDGED SEDIMENTS AT PORT
SONOMA MARINA, PETALUMA, SONOMA COUNTY

PART A

A. BASIS AND PURPOSE

Reporting responsibilities of waste discharges are specified in Sections 13225(a), 13267(b), 13268, 13383, 13387(b) of the California Water Code and this Regional Board's Resolution No. 73-16.

The principle purposes of a monitoring program, also referred to as a self-monitoring program, are: 1) to document compliance with Waste Discharge Requirements and prohibitions established by this Regional Board, 2) to facilitate self-policing by the waste discharger in the prevention and abatement of pollution arising from waste discharge, 3) to develop or assist in the development of effluent or other limitations, discharge prohibitions, national standards of performance, pretreatment and toxicity standards, and other standards, and 4) prepare water and waste water quality inventories.

B. SAMPLING AND ANALYTICAL METHODS

Sample collection, storage and analyses shall be performed according to 40 CFR, S136, or other methods approved and specified by the Executive Officer of this Regional Board (See Part B).

Water and waste-water analyses shall be performed by a laboratory approved for these analyses by the State Department of Health Services (DOHS) or a laboratory waived by the Executive Officer from obtaining a certification for these analyses by the DOHS. The director of the laboratory whose name appears on the certification or his/her laboratory supervisor who is directly responsible for analytical work performed shall supervise all analytical work including appropriate quality assurance/quality control procedures in his or her laboratory and shall sign all reports of such work submitted to the Regional Board.

All monitoring instruments and equipment shall be properly calibrated and maintained to

ensure accuracy of measurements.

C. SPECIFICATIONS FOR SAMPLING AND ANALYSES

The Discharger is required to perform sampling and analyses according to the schedule in Part B in accordance with the following conditions:

D. STANDARD OBSERVATIONS

1. **Receiving Water**

- a. Floating and suspended materials of waste origin (to include oil, grease, algae, and other macroscopic particulate matter): presence or absence, source, and size of affected area.
- b. Discoloration and turbidity: description of color, source, and size of affected area.

2. **Decant Water from Ponds**

- a. Floating and suspended material of waste origin (to include oil, grease, algae, and other macroscopic particulate matter): presence or absence.

E. RECORDS TO BE MAINTAINED

1. Written reports, strip charts, calibration and maintenance records, and other records shall be maintained by the Discharger and retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board or Regional Administrator of the U.S. Environmental Protection Agency, Region IX. Such records shall show the following for each sample:

- a. Identity of sampling and observation stations by number.
- b. Date and time of sampling and/or observations.
- c. Results of analyses and/or observations.

F. REPORTS TO BE FILED WITH THE REGIONAL BOARD

1. **Spill Reports**

A report shall be made of any spill of oil or other hazardous material. Spills shall be reported to this Regional Board, at (510) 622-2300 on weekdays during office hours from 8 AM to 5 PM, and to the Office of Emergency Services at (800) 852-7550 during non-office hours, and the U.S. Coast Guard at (415) 437-3091 (if the spill is into navigable waters) by telephone immediately after occurrence. A written report shall be filed with the Regional Board within five (5) working days and shall include the following:

- a. nature of waste or pollutant,
- b. quantity involved,
- c. duration of incident,
- d. cause of spilling,

- e. SPCC Spill Prevention and Containment Plan in effect, if any,
- f. estimated size of affected area,
- g. nature of effects (e.g., fishkill, discoloration of receiving water, etc.),
- h. corrective measures that have been taken or planned and a schedule of these activities, and
- i. persons notified.

2. Reports of Permit Violation

In the event the discharger violates or threatens to violate the conditions of the waste discharge requirements and prohibitions the discharger shall notify the Regional Board office by telephone as soon as the incident is acknowledged and confirm this notification in writing within 7 working days of the telephone notification. The written report shall include time and date, and nature of the incident, and the person notified of the incident. The report shall include pertinent information explaining reasons for the noncompliance and shall indicate what steps were taken to prevent the problem from recurring.

3. Self-Monitoring Reports

Written reports shall be filed regularly for each calendar month during which discharge occurs and filed no later than the fifteenth day of the following month. Reports should be directed to:

Executive Officer
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

The reports shall be comprised of the following:

a. Letter of Transmittal:

A letter transmitting self-monitoring reports should accompany each report. Such a letter shall include:

- i) A summary of the activities, including volumes of sediments dredged and placed in the disposal ponds that occurred during the reporting period,
- ii) Identification of any violations of waste discharge requirements found during the reporting period,
- iii) The cause of the violations, and a discussion of the corrective actions taken or planned.

Monitoring reports and the letter transmitting reports shall be signed by a principal executive officer or ranking elected official of the discharger, or by a duly authorized representative of that person.

The letter shall contain the following certification:

"I certify under penalty of law that this document and all attachments are prepared under my direction or supervision, and the information submitted is, to the best of my knowledge, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

b. Map or Aerial Photograph

A map or aerial photograph shall accompany the report showing sampling and observation station locations.

c. Results of Analyses and Observations

Tabulations of the results from each required analysis specified in Part B by date, time, type of sample, detection limit and station, signed by the laboratory director.

4. Annual Reporting

By January 31 of each year, the discharger shall submit an annual report to the Regional Board covering the previous calendar year. The report shall contain:

- a. Summaries of the dredging and disposal activities that occurred during the previous year.
- b. Summaries of the monitoring data during the previous year.
- c. A comprehensive discussion of the compliance record and the corrective actions taken or planned which may be needed to bring the discharger into full compliance with the waste discharge requirements.

G. DEFINITION OF TERMS

1. A grab sample is defined as an individual sample collected in a short period of time not exceeding 15 minutes.
2. Duly authorized representative is one whose:
 - a. Authorization is made in writing by a principal executive officer or ranking elected official;
 - b. Authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as general partner in a partnership, sole proprietor in a sole proprietorship, the position of plan manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

CALIFORNIA REGIONAL WATER QUALITY CONTROL PLAN
SAN FRANCISCO BAY REGION

SELF-MONITORING PROGRAM

FOR:

REGIONAL BOARD ORDER NO. 01-060

PORT SONOMA ASSOCIATES, LLC

MAINTENANCE DREDGING AND DRYING OF DREDGED SEDIMENTS AT PORT
SONOMA MARINA, PETALUMA, SONOMA COUNTY

PART B

This portion of the Self Monitoring Program (SMP) contains terms and definitions specific to the permitted discharge.

A. DESCRIPTION OF SAMPLING STATIONS

1. Points of Discharge

- A1. Pond 1: Located at the point of discharge to the receiving water.
- A2. Pond 2: Located at the point of discharge to the receiving water.
- A3. Pond 3: Located at the point of discharge to the receiving water.

2. Receiving Waters

- B1. Located at least 100 feet, but not greater than 200 feet from the weirs which drain the ponds.

B. LAND OBSERVATIONS

- L1-L20 Visual observations at points equidistant along the perimeter levee not to exceed 1,000 feet spacing.

C. SCHEDULE OF SAMPLING, ANALYSIS AND OBSERVATIONS

- 1. The following table is to be implemented as a principle part of the SMP and is written specifically for the discharge described in this permit.

SELF MONITORING PROGRAM for ORDER NO. 01-060
 PORT SONOMA MARINA
 June 19, 2001

TABLE 1. Schedule for sampling, analysis, and observations.

Parameter	Stations A <i>(Grab Sample)</i>	Stations B <i>(Grab Sample)</i>	Stations L <i>Observations</i>
pH	Daily per Episode	Weekly per Episode	
Settleable Matter (ml/l-hr)	Daily per Episode		
Dissolved Sulfide (mg/l)	Daily per Episode	Weekly per Episode	
Total suspended solids (mg/l)	Daily per Episode		
Dissolved Oxygen (mg/l)		Weekly per Episode	
Turbidity		Weekly per Episode	
Standard Observations			Weekly per Episode

I, Loretta Barsamian, Executive Officer, do hereby certify that the foregoing Self-Monitoring Program has been developed in accordance with the procedures set forth in this Regional Board's Resolution No. 73-16 in order to obtain data and document compliance with waste discharge requirements established in Regional Board Order No. 01-060 and was adopted by the Board on June 19, 2001.

This Self-Monitoring Program may be reviewed at any time subsequent to the effective date upon written notice from the Executive Officer or request from the Discharger, and revisions will be ordered by the Executive Officer or Regional Board.


 LORETTA K. BARSAMIAN
 EXECUTIVE OFFICER



California Regional Water Quality Control Board

San Francisco Bay Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov>
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 • FAX (510) 622-2460

Gray Davis
Governor

Certified Mail No. 70993220000146714126

Date: JUN 29 2001
File No. 2149.4033 (gnc)

Port Sonoma associates, LLC.
C/o Mr. Brian Swedberg
Port Sonoma Marina
270 Sears Point Road
Petaluma, California 94954

SUBJECT: Transmittal of Final Waste Discharge Requirements and Water Quality Certification for Maintenance Dredging and Drying of Dredged Material at Port Sonoma Marina in Petaluma, Sonoma County (Regional Board Order No. 01-060)

Dear Mr. Swedberg:

Enclosed is a copy of the Final Waste Discharge Requirements and Water Quality Certification for for Maintenance Dredging and Drying of Dredged Material at Port Sonoma Marina in Petaluma, Sonoma County. These Requirements were adopted by the San Francisco Bay Regional Water Quality Control Board as Order No. 01-060 on June 19, 2001.

If you have any questions regarding this Order, please contact Glynnis Collins of my staff at (510) 622-2318, email: gnc@rb2.swrcb.ca.gov.

Sincerely,

Loretta K. Barsamian
Executive Officer

Enclosure

California Environmental Protection Agency