

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**

**SAN FRANCISCO BAY REGION**

**ORDER NO. 01-061**

**WASTE DISCHARGE REQUIREMENTS AND WATER QUALITY CERTIFICATION  
FOR:**

**WINTER ISLAND LEVEE REHABILITATION**

**RECLAMATION DISTRICT 2122 (RD 2122)**

**CONTRA COSTA COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter referred to as the Board, **FINDS** that:

1. This Order will serve as Waste Discharge Requirements and Water Quality Certification under Section 401 of the Clean Water Act for the Winter Island Levee Rehabilitation Project (hereinafter referred to as the "Project"), carried out by the Winter Island Reclamation District (Reclamation District 2122, hereinafter referred to as the "Discharger"), which will use dredged material to rehabilitate levees on Winter Island.
2. This Order provides receiving water limits and sediment and water discharge specifications, as well as monitoring and reporting requirements for the Project.
3. The Project will be coordinated with the California Department of Water Resource's Delta Levees Subventions Program for the maintenance of Delta levees to protect the Delta levee system and improve aquatic habitat in the Delta. The purpose of the Project is to rehabilitate the levees on Winter Island to the Short-Term Hazard Mitigation Plan (HMP) Standard, as defined in the Delta Levees Subventions Program Preliminary Procedures and Criteria. The HMP standard is 7.5 feet above sea level, equal to the 100-year stage plus one foot. The Discharger has been an active participant in the Subventions Program in an effort to rehabilitate and maintain the levees under its jurisdiction. The Subventions Program requires that the California Department of Fish and Game (CDFG) approve levee rehabilitation plans, subject to the mandate that no net long-term loss of riparian, fisheries, or wildlife habitat occur as a result of Subventions Program activities.
4. Rehabilitation and maintenance of the Winter Island levees is required to prevent flooding of the island.

## **SITE DESCRIPTION**

5. Winter Island is located on the extreme western edge of the Sacramento-San Joaquin Delta in Contra Costa County, California (Figure 1). The privately-owned 453-acre island is managed to enhance freshwater wetland habitat and is operated as a duck club. The water level in the interior of the island is regulated by manually-operated tidal gates which are opened and closed to obtain water levels necessary to maintain the wetlands.
6. Winter Island is comprised of approximately 400 acres of freshwater marsh, 15 acres of open water habitat consisting of scattered ponds and an interior drainage ditch, 2 acres of riparian habitat along the levees, and 33 acres of upland habitat made up of open sandy soils and upland vegetation.
7. Winter Island provides important habitat to numerous species of waterfowl such as mallards, cinnamon teal, canvasbacks, pied-billed grebes, and American coots. The island also provides habitat for bird species such as American crows, killdeer, marsh wrens, red-winged blackbirds, common yellowthroat, song sparrows, egrets, and herons. Mammal species found on the island include black-tailed jackrabbits, California ground squirrels, pocket gophers, river otter, beaver, muskrat, striped skunks, and raccoons
8. There are approximately 4.75 miles of levees surrounding Winter Island. These levees were constructed prior to 1940 and have been slowly eroding. The levees are currently approximately four-to-six feet high and built on a peat foundation.

## **HISTORY**

9. In 1983, material dredged from the Stockton Deepwater Ship Channel deepening project was placed at two locations on Winter Island. The material was to be moved around the island to reconstruct the levees; however, because of narrow levees and their poor condition, movement of the material to the entire levee system was not possible, and some of the material remained where it was originally placed.
10. In 1990, the State Water Resources Control Board issued water quality certification (dated November 26, 1990), pursuant to Regional Board Resolution No. 90-140, adopted October 17, 1990, for the placement of material dredged from adjacent waterways onto the island for levee rehabilitation. Because of the earlier problems with moving material around the island, this work involved the placement of dredged material directly on the inboard side of levees needing maintenance either by clamshell or hydraulic dredge. Some levee maintenance work was performed using the previously-placed material, but it was determined that dredging of adjacent waterways would undermine the stability of the existing levees. Instead, dredged material from several San Francisco Bay Area dredging projects was discharged at the island and used for levee maintenance and repair. Most of the material came from maintenance dredging of the federally-maintained Suisun Bay and New York Slough shipping channels adjacent to Winter Island; Small amounts of material were also accepted from the California Department of Transportation Carquinez Bridge Seismic Retrofit Project and from maintenance dredging by the Port of San Francisco at Piers 33, 35, and 39. Approximately 400,000 cubic yards of material has

been placed and used at the island since 1990, with a continuing need for levee rehabilitation.

### **CURRENT PROJECT**

11. The current Project will complete the levee restoration work authorized in 1990. The Discharger proposes to place up to 800,000 cubic yards (cy) of dredged material from authorized San Francisco Bay Area dredging projects on Winter Island over a five-year period.
12. Placement of dredged material on the 4.75 miles of levees surrounding Winter Island to HMP standards would result in raising the levee elevations from four to six feet NGVD to 7.5 to 8 feet NGVD. In addition to the increase in elevation, the levees would be widened to a maximum of approximately 20 feet inward from the present toe of the levees.

### **IMPACTS/MITIGATION**

13. Analysis of the proposed project in 1990 showed that rehabilitation of the Winter Island levees to the HMP Standard would result in the permanent loss through filling of approximately 15 acres of freshwater marsh. Additionally, during operations, approximately 10 acres of wetlands would be temporarily impacted. Regional Board Order No. 90-140 required 25 acres of wetland mitigation to be completed to compensate for unavoidable impacts to wetlands resulting from the permitted levee rehabilitation. Mitigation for the wetland impacts has been completed at a site at the northern end of the island. The current Project will not impact areas beyond those included in the 1990 analysis. Therefore, because Project impacts to wetlands have already been mitigated, no additional wetland mitigation is necessary as part of this authorization.
14. Two acres of riparian habitat composed of willows would be adversely impacted as a result of placing dredged material along the interior portions of the levees; however, the willows are indigenous, fast-growing species that are expected to reestablish within two to three years. Widening of the levees is expected to result in a net gain of riparian habitat, and would represent a long-term beneficial impact. Therefore, no mitigation for the impacts to riparian habitat is required as part of this authorization.
15. Placement of the dredged material will be on the interior side of the levees so that it will not result in any discharge of dredged or fill material into the adjacent channels on the exterior side of the levees. Therefore, there is no anticipated adverse impact to water quality on the exterior side of the island. The placement of dredged or fill material on the levees could have minor temporary adverse impacts to water quality within the island's interior marsh due to a temporary increase in turbidity related to the fill discharge; however, this potential adverse impact would be short-term and localized. Additionally, because the interior marsh dries out substantially during the summer months when the work is most likely to be carried out, adverse water quality impacts from the proposed project would be minor.
16. Water associated with dredged material placed on Winter Island is anticipated to have short-lived and minimal impacts on surface and ground waters. Dredged material will not

be considered a waste, therefore effluent limitations are not included in this Order. However, receiving water monitoring is required and should provide adequate protection to beneficial uses. Additional monitoring for potential contaminants in receiving waters may be required on a case-by-case basis.

17. The project is not expected to have impacts to beneficial uses of surface or ground waters.
18. There are no rare or endangered plant or animal species identified on the island that are associated with the levee work; therefore, no rare or endangered plant or animal species will be impacted by the Project. Because material will be placed on the inboard side of the levees, this project will not affect special status fish species, such as salmon, using the waterways adjacent to Winter Island.

### **PROJECT BENEFITS**

19. The project provides an alternative to disposal of dredged sediments at the designated in-Bay disposal sites for Bay Area dredging projects, and is consistent with the goals of the San Francisco Estuary Project's *Comprehensive Conservation and Management Plan* and with the Long-Term Management Strategy (LTMS) for the disposal of dredged material in the San Francisco Bay Region.
20. This project provides a benefit to the people of the state. Levee integrity on Winter Island is critical due to its key location in the Delta. The westernmost Delta islands need to be protected from flooding to prevent saltwater intrusion and to protect the quality of drinking water exported from the Delta.
21. The Project has already provided a net increase in freshwater marsh in the island through the creation of the 25-acre mitigation site as compensation for permanent impacts to 15 acres and temporary impacts to 10 acres of freshwater wetlands (Figure 2). Levee rehabilitation would protect these habitats. Typical levee cross-sections are shown in Figures 3 and 4.
22. Winter Island provides habitat to numerous waterfowl, birds, and terrestrial animals. The continued rehabilitation of the Winter Island levees will protect this habitat and benefit these species.

### **CLEAN WATER ACT SECTION 404(1)(B) CONSISTENCY**

23. The Discharger has analyzed the project for consistency with Section 404(b)(1) Guidelines (40 CFR 230 *et seq.*), promulgated by the USEPA, for disposal of dredged or fill material into waters of the US. The discharger found that the project complies with the applicable provisions of the Guidelines in that the project is the practicable alternative with the least adverse impact on the aquatic ecosystem, and includes appropriate practical steps to minimize adverse impacts of the discharge of dredged materials on the aquatic ecosystem. The Regional Board concurs with this assessment.

## **BENEFICIAL USES**

24. Winter Island is located within the San Francisco Estuary/Delta System between Suisun Bay to the west and the confluence of the Sacramento and San Joaquin Rivers to the east. The beneficial uses of the waters contiguous to Winter Island as set forth in the Basin Plan are as follows:
- i. Water Contact Recreation
  - ii. Non-Contact Water Recreation
  - iii. Wildlife Habitat
  - iv. Industrial Service Supply
  - v. Wildlife Habitat
  - vi. Preservation of Rare and Endangered Species
  - vii. Fish Migration
  - viii. Navigation
  - ix. Ocean, Commercial, and Sport Fishing
  - x. Fish Spawning
  - xi. Estuarine Habitat
  - xii. Municipal and Domestic Supply

## **CEQA COMPLIANCE**

25. The discharger filed a Negative Declaration for this project with the State Clearinghouse on September 5, 1990. The Board concurs that the Project will not result in significant environmental impacts.
26. The action to adopt waste discharge requirements and water quality certification for this project is exempt from the provisions of the California Environmental Quality Act (CEQA), in accordance with Section 15301, Title 14, California Administrative Code.

## **ADDITIONAL FINDINGS**

27. 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.
28. The specifications and limitations in these requirements are based on the plans, policies, and water quality objectives of the Basin Plan, Quality Criteria for Water (EPA440/5-86-001, 1986; Gold Book and 63 Federal Register 68354, December 10, 1998), Applicable

Federal Regulations (40 CFR Parts 122 and 131), the National Toxics Rule (57 FR 60848, 22 December, 1992; NTR), California Toxics Rule (40 CFR Parts 131), and Best Professional Judgment.

29. 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).
30. 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.
31. 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 required filing fee of \$10,000.
32. The Regional Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge.
33. The Regional Board, in a public meeting on June 20, 2001, heard and considered all comments pertaining to the discharge.

IT IS HEREBY **ORDERED** that the Discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, shall comply with the following:

**A. Discharge Prohibitions:**

1. The direct discharge of wastes to surface waters or surface water drainage courses is prohibited, except as authorized in this Order.
2. The discharge shall not cause degradation of any water supply.
3. The dredged material shall remain within all the designated disposal areas at all times.
4. The activities subject to these requirements shall not cause a condition of pollution or nuisance as defined in Sections 13050 (l) and (m), respectively, of the California Water Code.

**B. Discharge Specifications**

1. The offloading of dredged material to Winter Island shall be carried out so as to minimize the risk of any discharges other than within the designated areas. Material shall be placed directly onto the inboard side of the levees where rehabilitation operations are occurring.

2. The discharger shall adopt management practices to minimize lateral movement of dredged material into the interior of Winter Island or onto the water side of levees and into adjacent waterways.
3. Areas that will receive dredged material shall be properly graded, with a windrow at the toe of the slope to contain the dredged sediments, before the placement of any dredged material. Qualified personnel shall make a visual assessment of the site to confirm that the disposal area has been properly graded to receive dredged material before the placement of dredged material at any location.
4. Materials will be piled no more than six feet high at any location to ensure stability of the existing levees.
5. Completed levee sections shall be seeded with a California Department of Fish and Game approved seed mix, to prevent surface erosion of sediments into the island.
6. Appropriate soil erosion control measures shall be undertaken and maintained to prevent discharge of sediment to surface waters or surface water drainage courses from the levee rehabilitation operations areas. Dredged material shall be fully contained to prevent any wind transport, surface runoff or erosion into waters of the state.
7. The placement of dredged material shall be conducted to minimize impacts to wetlands. Mitigation for permanent and temporary impacts to wetlands has already been completed. Additional impacts to wetlands are prohibited by this Order.
8. The Discharger shall notify the Board immediately in the instance of any unanticipated impacts to wetlands. The discharger may be required to adjust management practices or remove the sediments if so directed by the Board.
9. In accordance with Section 13260 of the California Water Code, the Discharger shall file a report with this Regional Board of any material change or proposed change in the character, location, or volume of the discharge. Any proposed material change in the operation shall be reported to the Executive Officer at least 7 days in advance of implementation of any such proposal.
10. The responsible representative of the Discharger shall immediately notify the Regional Board staff by telephone whenever an adverse condition occurs as a result of this discharge. An adverse condition includes, but is not limited to, a violation or threatened violation of the conditions of this Order, significant spill of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance. Pursuant to Section 13267(b) of the California Water Code, a written notification of the adverse condition shall be submitted to the Regional Board within 30 days of occurrence. The written notification shall identify the adverse condition, describe the actions necessary to remedy the condition, and specify a timetable, subject to the modifications of the Regional Board, for the remedial actions.

**C. Receiving Water Limitations**

1. The placement of sediments and/or decant water shall not cause the following conditions to exist in waters of the State at any place:

- a. Floating, suspended or deposited macroscopic particulate matter or foam;
  - b. Visible floating, suspended, or deposited oil or other products of petroleum origin;
  - c. Bottom deposits or aquatic growths to the extent that such deposits or growths cause nuisance or adversely affect beneficial uses; and
  - d. Alteration of temperature, turbidity, or apparent color beyond present natural background levels.
2. The placement of dredge material shall not cause the following limits to be exceeded in waters of the State at any point:
- a. Dissolved Oxygen: 7.0 mg/l minimum. When natural factors cause lesser concentrations, then this discharge shall not cause further reduction in the concentration of dissolved oxygen.
  - b. Dissolved Sulfide: 0.1 mg/l maximum.
  - c. pH: A variation of natural ambient pH by more than 0.5 pH units.
  - d. 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.
  - e. Un-ionized Ammonia: 0.025 mg/L as N, annual median; and 0.16 mg/L as N, maximum.
  - f. Total Dissolved Solids: The project shall not increase total dissolved solids or salinity to adversely affect beneficial uses

3. Turbidity shall not exceed background of the Waters of the State, as measured in NTU, as follows:

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

4. The discharge shall not cause a violation of any particular water quality standard for receiving waters adopted by the Board or the State Board as required by the Clean Water Act and regulations adopted thereunder. If more stringent applicable water

quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.

5. The groundwater shall not be degraded as a result of the sediment disposal, reuse or handling.

#### **D. PROVISIONS**

1. Data characterizing the quality of sediments proposed for placement at Winter Island shall be submitted for review and written approval by the Executive Officer prior to placement of the material at Winter Island. This review should be coordinated through the multi-agency Dredged Material Management Office, of which the Regional Board is a member. Sediment to be placed at the site shall be in conformance with the guidelines, below.
2. Sediment characterization for materials proposed to be placed at Winter Island shall follow the protocols specified in Army Corps of Engineers Public Notice 99-3 (or most current guidance), unless explicitly exempted in writing by the Executive Officer. Characterization of the material shall also include a Title 22 Waste Extraction Test (WET) procedure (California Code of Regulations, Title 22, Div. 4, Ch. 30, Art. II, Sec. II, Sec. 66700). The WET procedure may be modified to use deionized water in place of the citrate buffer. Other extraction procedures may be used, with approval by the Executive Officer. Modifications to these procedures may be approved on a case-by-case basis. Additional testing to determine suitability of materials for disposal at this site may be required on a case-by-case basis.
3. Suitability determinations for material proposed for placement at Winter Island will be made by the Executive Officer, based in part, upon the Board's guidance documents: *Interim Sediment Screening Criteria and Testing Requirements for Wetland Creation and Upland Beneficial Reuse*, (RWQCB, December 1992), *Beneficial Reuse of Dredged Materials: Sediment Screening and Testing Guidelines, Draft Staff Report* (RWQCB, May 2000), *Application of Risk-Based Screening Levels (RBSLs) and Decision Making to Sites with Impacted Soil and Groundwater, Interim Final* (RWQCB, August 2000), Regional Board Order No. 98-072: Site Cleanup Requirements Cattellus Development Corp. East Shore Properties, and Best Professional Judgment.

The May 2000 document lists screening-level "wetland surface" values; sediments with these levels of contaminants would be appropriate to be used as surface sediments in wetland creation projects. The RBSLs in the August 2000 document are levels for terrestrial soils that are expected to pose no risk to ecological receptors in contact with surface soil. These sediment screening levels may be amended to reflect the most current guidelines.

Table 1 shows the wetland surface and RBSL values. Material proposed for placement at Winter Island that has levels of contaminants below the wetland cover values will likely be suitable for this use (subject to the other considerations, described below). Because the potential routes of exposure to biological receptors for

quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.

5. The groundwater shall not be degraded as a result of the sediment disposal, reuse or handling.

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Table 1 shows the wetland surface and RBSL values. Material proposed for placement at Winter Island that has levels of contaminants below the wetland cover values will likely be suitable for this use (subject to the other considerations, described below). Because the potential routes of exposure to biological receptors for

sediments placed on levees is typically lower than that for sediments placed in wetland environments, sediments with exceedances of wetland cover acceptance values, but below the RBSLs, may be considered suitable for use in the levee rehabilitation at Winter Island. Determinations as to the suitability of such material will be made on a case-by-case basis, based on the following considerations: (1) the particular constituent in exceedance; (2) the volume of material; (3) the number of exceedances; 4) other sediment testing results, such as toxicity bioassays; and 5) site-specific considerations. Material with any contaminant levels greater than the RBSLs may not be placed at Winter Island unless the Discharger proposes a site-specific assessment demonstrating that the material would be suitable for placement on the site and requests that this Order be amended to incorporate the findings of that assessment. This amendment would be considered in due course in a normal Board hearing.

**Table 1.** Screening levels for sediment proposed for use in levee maintenance and rehabilitation at Winter Island.

| <b>Constituent</b> | <b>Wetland Cover<sup>1</sup></b><br><i>(mg/kg)</i> | <b>RBSL<sup>2</sup></b><br><i>(mg/kg)</i> |
|--------------------|--|---|
| Arsenic            | 15.3   | 40  |
| Cadmium            | 0.33   | 12  |
| Chromium           | 112  | 750                                       |
| Copper             | 68.1   | 225                                       |
| Lead               | 43   | 200                                       |
| Mercury            | 0.43   | 10  |
| Nickel             | 112  | 150                                       |
| Selenium           | 0.64   | 10  |
| Silver             | 0.58   | 40  |
| Zinc               | 158  | 600                                       |
| PCBs               | 0.023  | 0.63 <sup>3</sup>                         |
| Total DDT          | 0.007  | 4   |
| Total PAHs         | 3.39   | 40  |

<sup>1</sup>based on contact with aquatic biological receptors (RWQCB May 2000);

<sup>2</sup>based on contact with terrestrial receptors (RWQCB, August 2000);

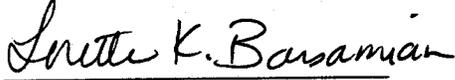
<sup>3</sup>based on Regional Board Order No. 98-072: *Site Cleanup Requirements Cattellus Development Corp. East Shore Properties*

4. The Discharger shall submit an Operation Plan detailing ongoing operations for the site. This Operation Plan shall describe site operations and procedures to be followed before, during, and after dredge sediment placement. The Operation Plan shall include emergency procedures for potential risks, including levee failures.
5. The Discharger shall conduct monitoring activities according to the Self-Monitoring and Reporting Program (SMP) attached to this Order and as may be amended by the Executive Officer. At any time after adoption of this Order, the Discharger may file a written request proposing modifications to the attached SMP. If the proposed modifications are acceptable, the Executive Officer may issue a letter of approval incorporating the revisions into the SMP.
6. Discharger shall notify the Regional Board immediately whenever violations of this Order are detected.
7. All reports following these Provisions shall be prepared under the supervision of a registered civil engineer or certified engineering geologist.
8. The discharge of any hazardous waste as defined in Title 23, Chapter 15 of the California Administrative Code, to the disposal site is prohibited.
9. Only dredged material that has been demonstrated to be non-hazardous and meets the applicable guidelines and criteria specified in this Order may be discharged.
10. The Discharger shall remove and relocate any wastes which are discharged at this site in violation of these Requirements.
11. The Discharger shall file with the 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 disposal areas or the ownership of the site.
12. The Discharger shall maintain a copy of this Order at the site to be available at all times to site operating personnel.
13. The Discharger shall permit the Board or its authorized representative, upon presentation of credentials:
  - Entry on to the premises on which wastes are located or in which records are kept.
  - Access to copy any records required to be kept under the terms and conditions of this Order.
  - Inspection of any treatment equipment, monitoring equipment or monitoring method
  - Sampling of any discharge or surface water covered by this Order.
14. These Requirements do not authorize commission of any act causing injury to the property of another or of the public; do not convey any property rights; do not remove liability under federal, state or local laws, regulations or rules of other programs and

agencies nor do these Requirements authorize the discharge of wastes without appropriate permits from other agencies or organizations.

15. This Order expires five years from the date of issuance.

I, Loretta K. Barsamian, 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, San Francisco Bay Region, on June 19, 2001.

  
LORETTA K. BARSAMIAN  
Executive Officer

Attachment: Self Monitoring and Reporting Program

# WINTER ISLAND LOCATION



9-22-88

## LOCATION MAP WINTER ISLAND

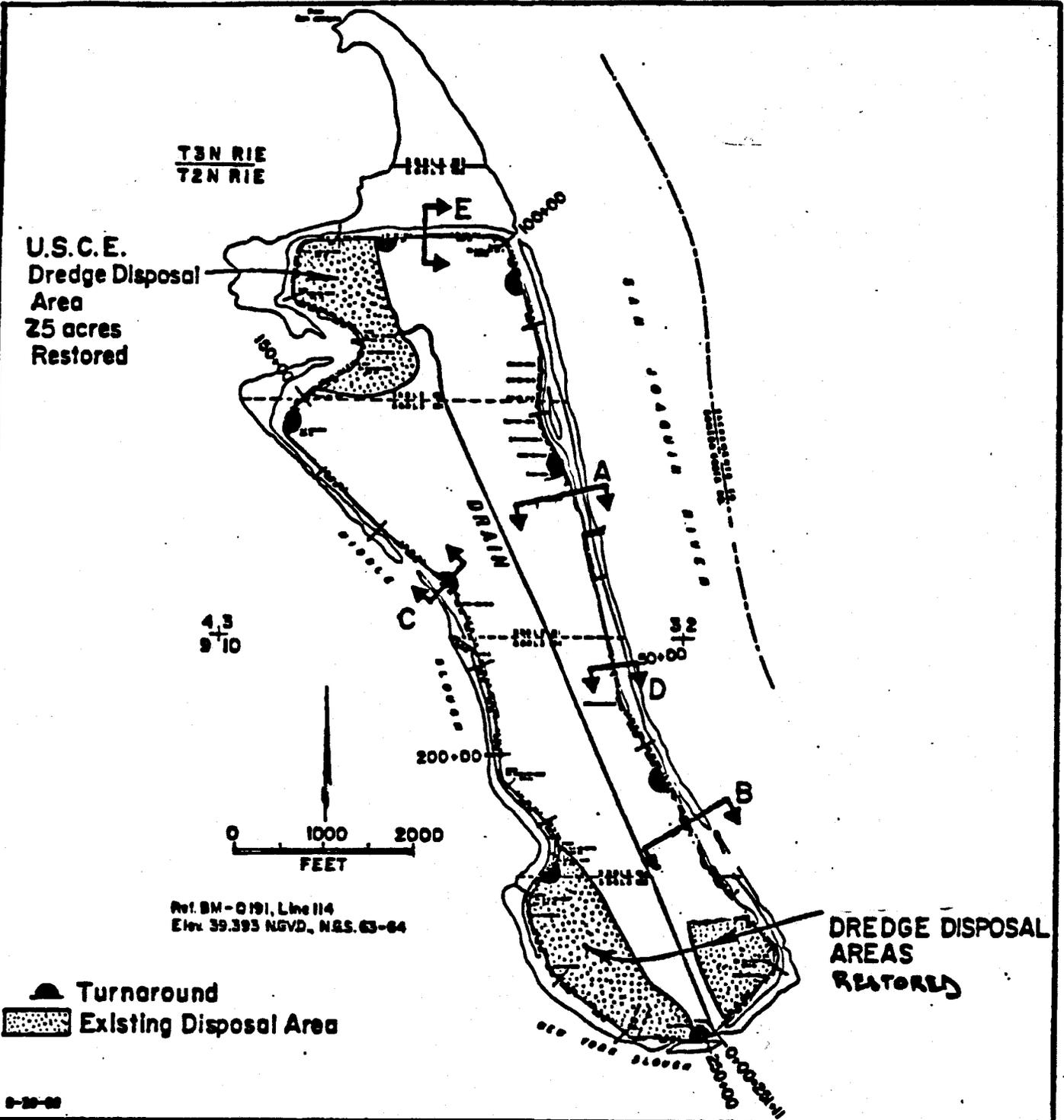
SAN JOAQUIN RIVER  
MIDDLE SLOUGH  
NEW YORK SLOUGH

APPLICANT:  
RECLAMATION DISTRICT 2122  
WINTER ISLAND

## LEVEE REHABILITATION

PURPOSE: FLOOD CONTROL

DATUM: N.G.V.D.  
COUNTY: CONTRA COSTA



9-20-68

**PLAN VIEW**  
**WINTER ISLAND**

**SAN JOAQUIN RIVER**  
**MIDDLE SLOUGH**  
**NEW YORK SLOUGH**

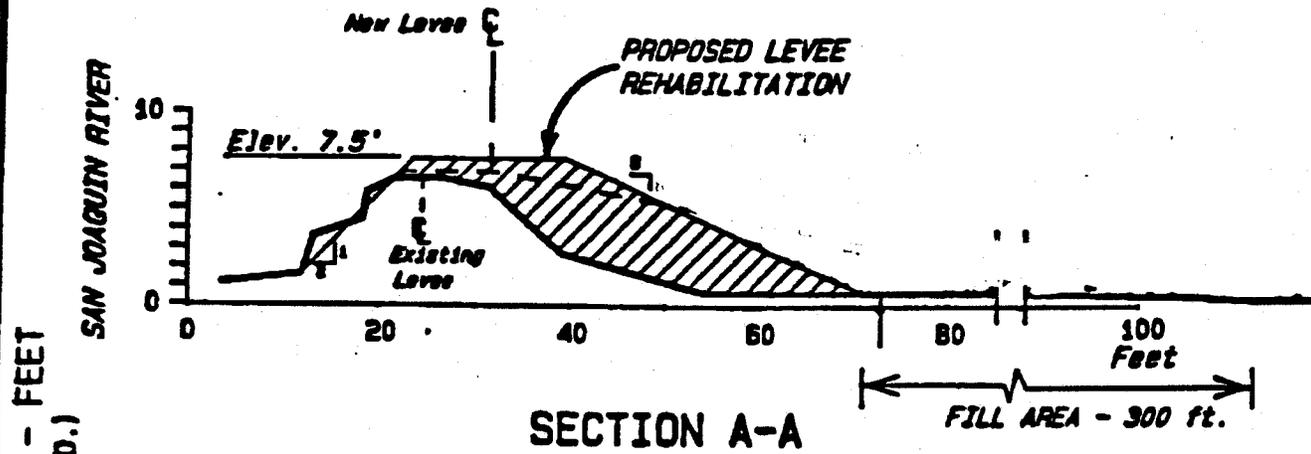
**APPLICANT:**  
**RECLAMATION DISTRICT 2122**  
**WINTER ISLAND**

**LEVEE**  
**REHABILITATION**

**PURPOSE: FLOOD CONTROL**

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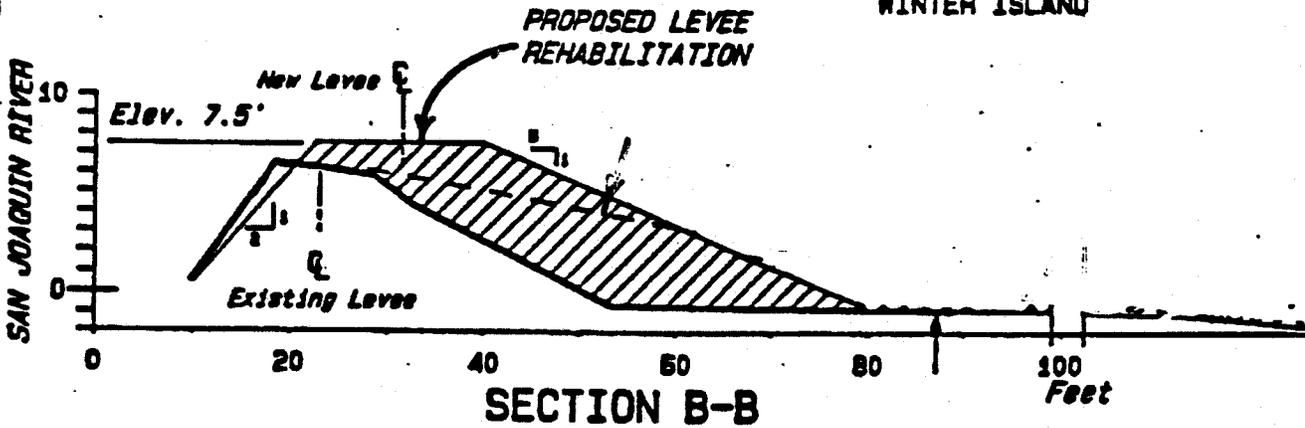
WINTER ISLAND



ELEVATION - FEET  
(N.G.V.D.)

SECTION A-A

WINTER ISLAND



SECTION B-B

TYPICAL DISPOSAL SITE SECTIONS

SCALE: 1"=20' Horiz. & 1"=10' Vert.

TYPICAL SECTIONS  
WINTER ISLAND

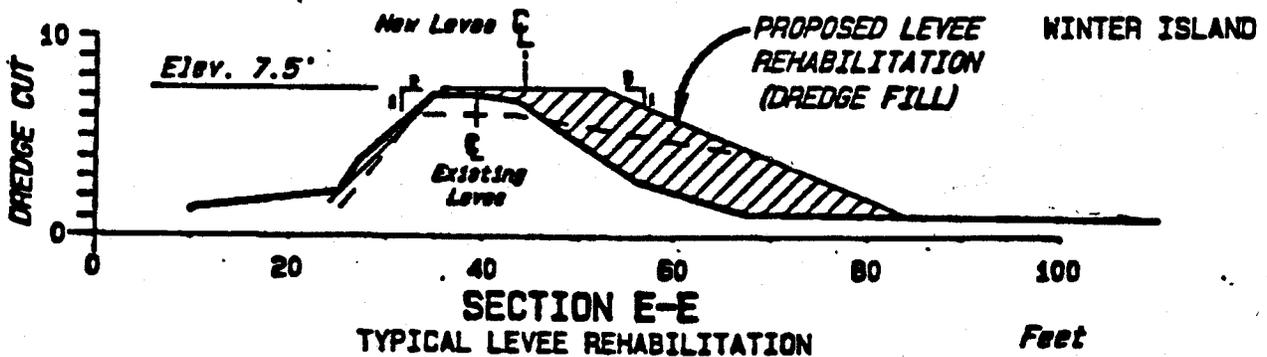
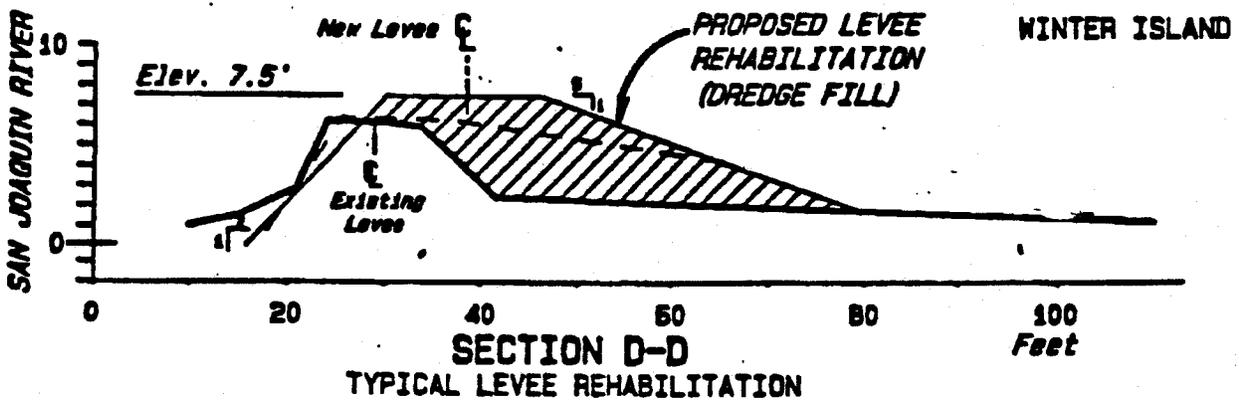
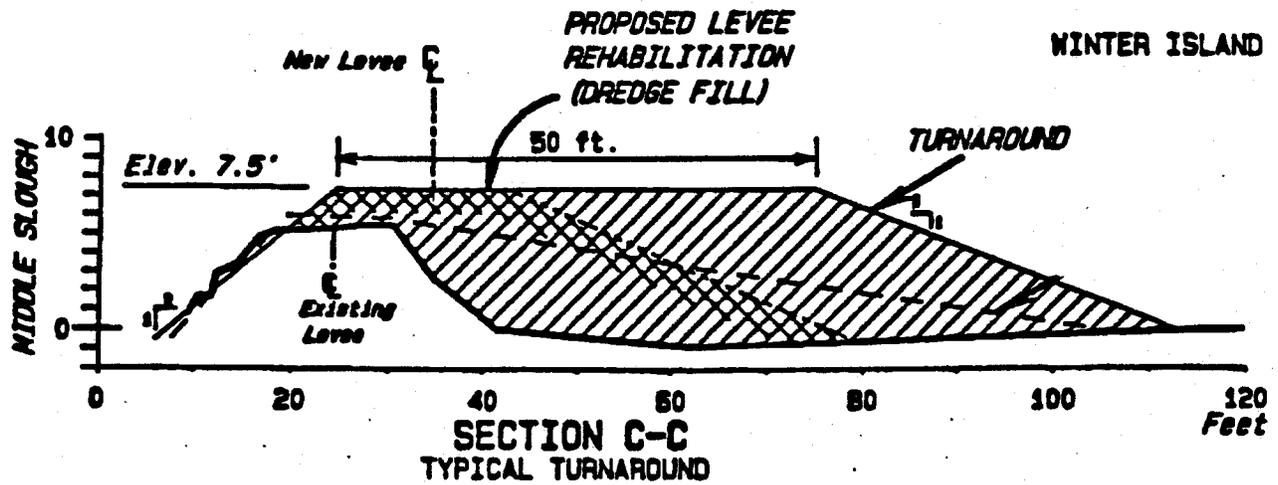
- SAN JOAQUIN RIVER
- MIDDLE SLOUGH
- NEW YORK SLOUGH

APPLICANT:  
RECLAMATION DISTRICT 2122  
WINTER ISLAND

LEVEE  
REHABILITATION

PURPOSE: FLOOD CONTROL

DATUM: N.G.V.D.  
COUNTY: CONTRA COSTA



**TYPICAL LEVEL SECTIONS**

SCALE: 1"=20' Horiz. & 1"=10' Vert.

**TYPICAL SECTIONS  
WINTER ISLAND**

SAN JOAQUIN RIVER  
MIDDLE SLOUGH  
NEW YORK SLOUGH

**APPLICANT:**  
RECLAMATION DISTRICT 2122  
WINTER ISLAND

**LEVEL REHABILITATION**

**PURPOSE: FLOOD CONTROL**

DATUM: N.S.V.D.  
COUNTY: CONTRA COSTA

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

**SELF-MONITORING AND REPORTING PROGRAM  
FOR**

**WINTER ISLAND**

**RECLAMATION DISTRICT #2122**

**CONTRA COSTA COUNTY**

**ORDER NO. 01-061**

**CONSISTS OF**

**PART A**

**AND**

**PART B**

## PART A

### A. GENERAL

1. Reporting responsibilities of waste dischargers are specified in Sections 13225(a), 13267(b), 13383, and 13387(b) of the California Water Code and this Regional Board's Resolution No. 73-16. This Self-Monitoring Program is issued in accordance with Provision 4 of Regional Board Order No. 01-061.
2. The principal purposes of a discharge monitoring program are: (1) to document compliance with waste discharge requirements and prohibitions established by the Board, (2) to facilitate self-policing by the waste dischargers in the prevention and abatement of pollution arising from waste discharge, (3) to develop or assist in the development of standards of performance and toxicity standards, (4) to assist the dischargers in complying with the requirements of the California Code of Regulations.

### B. SAMPLING AND ANALYTICAL METHODS

1. Sample collection, storage, and analyses shall be performed according to the most recent version of EPA Standard Methods for the Analysis of Water and Wastewater
2. Water and sediment analysis shall be performed by a laboratory approved for these analyses by the State of California. The director of the laboratory whose name appears on the certification shall supervise all analytical work in his/her laboratory and shall sign all reports of such work submitted to the Regional Board.
3. All monitoring instruments and equipment shall be properly calibrated and maintained to ensure accuracy of measurements.

### C. DEFINITION OF TERMS

1. A **grab sample** is a discrete sample collected at any time.
2. **Receiving waters** refers to any waterbody that actually or potentially receives surface or groundwater, which passes over, through, or under dredged sediment during levee rehabilitation and maintenance activities. The adjacent interior drainage ditch is considered the receiving waters.
3. **Levee Rehabilitation Areas** are areas where levee rehabilitation or maintenance activities, including dredged sediment placement, grading, and reseeding, are occurring.
4. **Receiving Waters Standard Observations** refer to:
  - a. Evidence of floating and suspended materials generated by the construction activities, as recorded by visual observations.
  - b. Discoloration and turbidity: description of color, source, and size of affected area.
  - c. Evidence of odors, presence or absence, characterization, source, and distance of travel from source.
5. **Levee Rehabilitation Area Standard Observations** refer to visual inspection at levee rehabilitation areas of:

- a. the overall condition and integrity of the levee
  - b. the location of placed material, the condition of the levee toe, and any migration of dredged sediments into adjacent wetlands
  - c. the status of levee revegetation
6. **Receiving Water Monitoring** refers to:
- a. Analyses as described in Table 1, below

**Table 1. Standard Analyses for Receiving Water Monitoring**

| Constituent                  | Units     |
|------------------------------|-----------|
| Dissolved Oxygen             | mg/l      |
| Dissolved Sulfide            | mg/l      |
| pH                           | Std units |
| Un-ionized Ammonia           | mg/l      |
| Total Dissolved Solids (TDS) | mg/l      |
| Turbidity                    | NTU       |

- b. Any additional analyses required by the Board on a case-by-case basis if it is determined that there is a potential for receiving water limits to be exceeded
7. **Levee Rehabilitation Area Monitoring** shall include the following:
- a. Post-placement sampling of sediments consisting of one grab sample per 5,000-10,000 cubic yards of sediments placed.
  - b. Post-placement analyses of sediments following protocols specified in the U. S. Army Corps of Engineers Public Notice 99-3, Table 2 (or current version of this guidance). Additional testing may be required on a case-by-case basis, as determined by results from pre-placement testing.

**D. SCHEDULE OF OBSERVATIONS AND MONITORING**

The Dischargers are required to perform observations and monitoring according to the schedule in Part B.

**E. RECORDS TO BE MAINTAINED**

Written reports shall be maintained by the Dischargers or their laboratory, and shall be retained for a minimum of five years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or when requested by the Board. Such records shall show the following for each sample:

1. Identity of sample and sample station number.
2. Date and time of sampling and the name of the person performing the sampling.
3. Date and time that analyses are started and completed, and name of the personnel performing the analyses.
4. Complete procedure used, including method of preserving the sample, and the identity and volumes of reagents used.

5. Calculation of results.
6. Results of analyses, and detection limits for each analysis.

**F. REPORTS TO BE FILED WITH THE BOARD**

1. Written monitoring reports shall be filed each month, by the 15<sup>th</sup> day of the following month, during which levee rehabilitation activities occur.

The reports shall contain the following:

a. Letter of Transmittal

A letter transmitting the essential points in each report should accompany each report. Such a letter shall include a discussion of any requirement violations found during the last report period, and actions taken or planned for correcting the violations. If the Dischargers have previously submitted a detailed time schedule for correcting requirement violations, a reference to the correspondence transmitting such schedule will be satisfactory. If no violations have occurred in the last report period this shall be stated in the letter of transmittal. Monitoring reports and the letter transmitting the monitoring reports shall be signed by the duly authorized representative of the Winter Island Reclamation District if such representative is responsible for the overall operation of the facility from which the discharge originates. The letter shall contain a statement by the official, under penalty of perjury, that to the best of the signer's knowledge the report is true, complete, and correct.

- b. The quantity of dredged material placed and a description of other levee rehabilitation or maintenance activities occurring during the reporting period, and the locations of material placement and other activities.
- c. A map or aerial photograph shall accompany each report showing observation and monitoring stations and levee rehabilitation and/or staging area locations.
- d. Laboratory statements of results of analyses specified in Part B must be included in each report. The director of the laboratory whose name appears on the laboratory certification shall supervise all analytical work in his/her laboratory and shall sign all reports of such work submitted to the Board.
  - i. The methods of analyses and detection limits must be appropriate for the expected concentrations. Specific methods of analyses must be identified. If methods other than EPA approved methods or Standard Methods are used, the exact methodology must be submitted for review and approved by the Executive Officer.
  - ii. In addition to the results of the analyses, laboratory quality assurance/quality control (QA/QC) information must be included in the monitoring report. The laboratory QA/QC information should include the method, equipment and analytical detection limits; the recovery rates; an explanation for any recovery rate that is less than the recovery acceptance limits specified in the USEPA method procedures or the laboratory's acceptance limits, if they are more stringent than those in the USEPA method procedures; the results of equipment and method blanks; the results of spiked and surrogate samples; the frequency of quality control

analysis; and the name and qualifications of the person(s) performing the analyses.

- e. A summary and certification of completion of all Standard Observations for the facility.
  - f. A summary and certification of completion of all Operations Monitoring information.
2. By January 31 of each year, the Discharger shall submit an annual report to the Regional Board covering the previous calendar year activities. This report shall contain the following:
- a. Summaries of the quantities and locations of dredged material placement and the source of the dredged material.
  - b. Summaries of other levee maintenance activities.
  - c. Tabular and graphical summaries of the monitoring data obtained during the previous year.
  - d. A description of the compliance record and corrective actions taken or planned which may be needed to bring the Discharger into full compliance with the Waste Discharge Requirements.

**3. Contingency Reporting**

A report to the Executive Officer and Regional Board case manager shall be made by telephone of any accidental discharge of whatever origin immediately after it is discovered. A written report shall be filed with the Board within five days thereafter. This report shall contain the following information:

- a. A map showing the location(s) of discharge(s);
- b. Approximate flow rate;
- c. Nature of effects, ie., all pertinent observations and analyses; and
- d. Corrective measures underway or proposed.

**PART B: MONITORING AND OBSERVATION SCHEDULE**

**A. DESCRIPTION OF OBSERVATION AND MONITORING STATIONS**

1. **Receiving water standard observations** shall be made at the interior drainage ditch adjacent to the levee maintenance area. Observations shall be made along the entire length of the levee maintenance area.
2. **Levee rehabilitation area standard observations** shall be made along the entire length of the levee maintenance area
3. Grab samples of water for **receiving water monitoring** shall be collected from the interior drainage ditch adjacent to levee rehabilitation areas and from the interior drainage ditch away from rehabilitation operations as a reference.
4. Grab samples of sediments for **levee rehabilitation area monitoring** shall be collected at levee rehabilitation areas.

**B. SCHEDULE OF OBSERVATIONS AND MONITORING**

The schedule of observations and monitoring is provided in Table 2, below:

**Table 2. Receiving Water and Operations Monitoring for Winter Island**

| Observation/Monitoring Frequency                          | Type  | Location  | Reporting Frequency   |
|---|---|---|-----------------------|
| Daily during operations                                   | Receiving water standard observations           | Interior drainage ditch adjacent to active levee rehabilitation area(s)   | Monthly               |
|   | Levee rehabilitation area standard observations | Active levee rehabilitation area(s)   | Monthly               |
|   | Receiving Water Monitoring                      | Grab sample from interior drainage ditch adjacent to active levee rehabilitation area(s), and a grab sample in the ditch away from active areas for a reference | Monthly               |
| Immediately after completion of rehabilitation activities | Levee rehabilitation area standard observations | Completed levee rehabilitation area(s)  | Annual summary report |
| 6-12 months after completion                              | Levee rehabilitation area standard observations | Completed levee rehabilitation area(s)  | Annual Report         |
|   | Levee rehabilitation area monitoring            | Completed levee rehabilitation area(s)  | Annual Report         |

<sup>1</sup> See Table 1. Standard Analyses for Receiving Water in Part A, Section C.4.

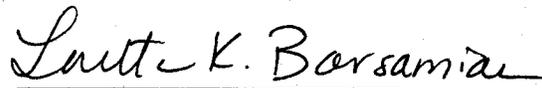
<sup>2</sup> Follow pre-placement testing protocols as specified in Army Corps of Engineers Public Notice 99-3, Table 2. (and other testing as required on a case-by-case basis)

All reports shall be submitted to the Regional Board case manager at:

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

I, Loretta K. Barsamian, Executive Officer, hereby certify that the foregoing Self-Monitoring Program:

1. Has been developed in accordance with the procedure set forth in this Board's Resolution No. in order to obtain data and document compliance with waste discharge requirements established in Regional Board Order No. 01-061
2. Was adopted by the Board on June 19, 2001; and
3. May be reviewed at any time subsequent to the effective date upon written notice from the Executive Officer or request from the Dischargers, and revisions will be ordered by the Executive Officer or the Board.



Loretta K. Barsamian  
Executive Officer

sediments placed on levees is typically lower than that for sediments placed in wetland environments, sediments with exceedances of wetland cover acceptance values, but below the RBSLs, may be considered suitable for use in the levee rehabilitation at Winter Island. Determinations as to the suitability of such material will be made on a case-by-case basis, based on the following considerations: (1) the particular constituent in exceedance; (2) the volume of material; (3) the number of exceedances; 4) other sediment testing results, such as toxicity bioassays; and 5) site-specific considerations. Material with any contaminant levels greater than the RBSLs may not be placed at Winter Island unless the Discharger proposes a site-specific assessment demonstrating that the material would be suitable for placement on the site and requests that this Order be amended to incorporate the findings of that assessment. This amendment would be considered in due course in a normal Board hearing.

**Table 1.** Screening levels for sediment proposed for use in levee maintenance and rehabilitation at Winter Island.

| <b>Constituent</b> | <b>Wetland Cover<sup>1</sup></b><br><i>(mg/kg)</i> | <b>RBSL<sup>2</sup></b><br><i>(mg/kg)</i> |
|--------------------|--|---|
| Arsenic            | 15.3   | 40  |
| Cadmium            | 0.33   | 12  |
| Chromium           | 112  | 750                                       |
| Copper             | 68.1   | 225                                       |
| Lead               | 43   | 200                                       |
| Mercury            | 0.43   | 10  |
| Nickel             | 112  | 150                                       |
| Selenium           | 0.64   | 10  |
| Silver             | 0.58   | 40  |
| Zinc               | 158  | 600                                       |
| PCBs               | 0.023  | 0.63 <sup>3</sup>                         |
| Total DDT          | 0.007  | 4   |
| Total PAHs         | 3.39   | 40  |

<sup>1</sup>based on contact with aquatic biological receptors (RWQCB May 2000);  
<sup>2</sup>based on contact with terrestrial receptors (RWQCB, August 2000);  
<sup>3</sup>based on Regional Board Order No. 98-072: *Site Cleanup Requirements Cattellus Development Corp. East Shore Properties*

4. The Discharger shall submit an Operation Plan detailing ongoing operations for the site. This Operation Plan shall describe site operations and procedures to be followed before, during, and after dredge sediment placement. The Operation Plan shall include emergency procedures for potential risks, including levee failures.
5. The Discharger shall conduct monitoring activities according to the Self-Monitoring and Reporting Program (SMP) attached to this Order and as may be amended by the Executive Officer. At any time after adoption of this Order, the Discharger may file a written request proposing modifications to the attached SMP. If the proposed modifications are acceptable, the Executive Officer may issue a letter of approval incorporating the revisions into the SMP.
6. Discharger shall notify the Regional Board immediately whenever violations of this Order are detected.
7. All reports following these Provisions shall be prepared under the supervision of a registered civil engineer or certified engineering geologist.
8. The discharge of any hazardous waste as defined in Title 23, Chapter 15 of the California Administrative Code, to the disposal site is prohibited.
9. Only dredged material that has been demonstrated to be non-hazardous and meets the applicable guidelines and criteria specified in this Order may be discharged.
10. The Discharger shall remove and relocate any wastes which are discharged at this site in violation of these Requirements.
11. The Discharger shall file with the 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 disposal areas or the ownership of the site.
12. The Discharger shall maintain a copy of this Order at the site to be available at all times to site operating personnel.
13. The Discharger shall permit the Board or its authorized representative, upon presentation of credentials:
  - Entry on to the premises on which wastes are located or in which records are kept.
  - Access to copy any records required to be kept under the terms and conditions of this Order.
  - Inspection of any treatment equipment, monitoring equipment or monitoring method
  - Sampling of any discharge or surface water covered by this Order.
14. These Requirements do not authorize commission of any act causing injury to the property of another or of the public; do not convey any property rights; do not remove liability under federal, state or local laws, regulations or rules of other programs and

agencies nor do these Requirements authorize the discharge of wastes without appropriate permits from other agencies or organizations.

15. This Order expires five years from the date of issuance.

I, Loretta K. Barsamian, 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, San Francisco Bay Region, on June 19, 2001.

  
LORETTA K. BARSAMIAN  
Executive Officer

Attachment: Self Monitoring and Reporting Program

# WINTER ISLAND LOCATION



9-29-68

**LOCATION MAP  
WINTER ISLAND**

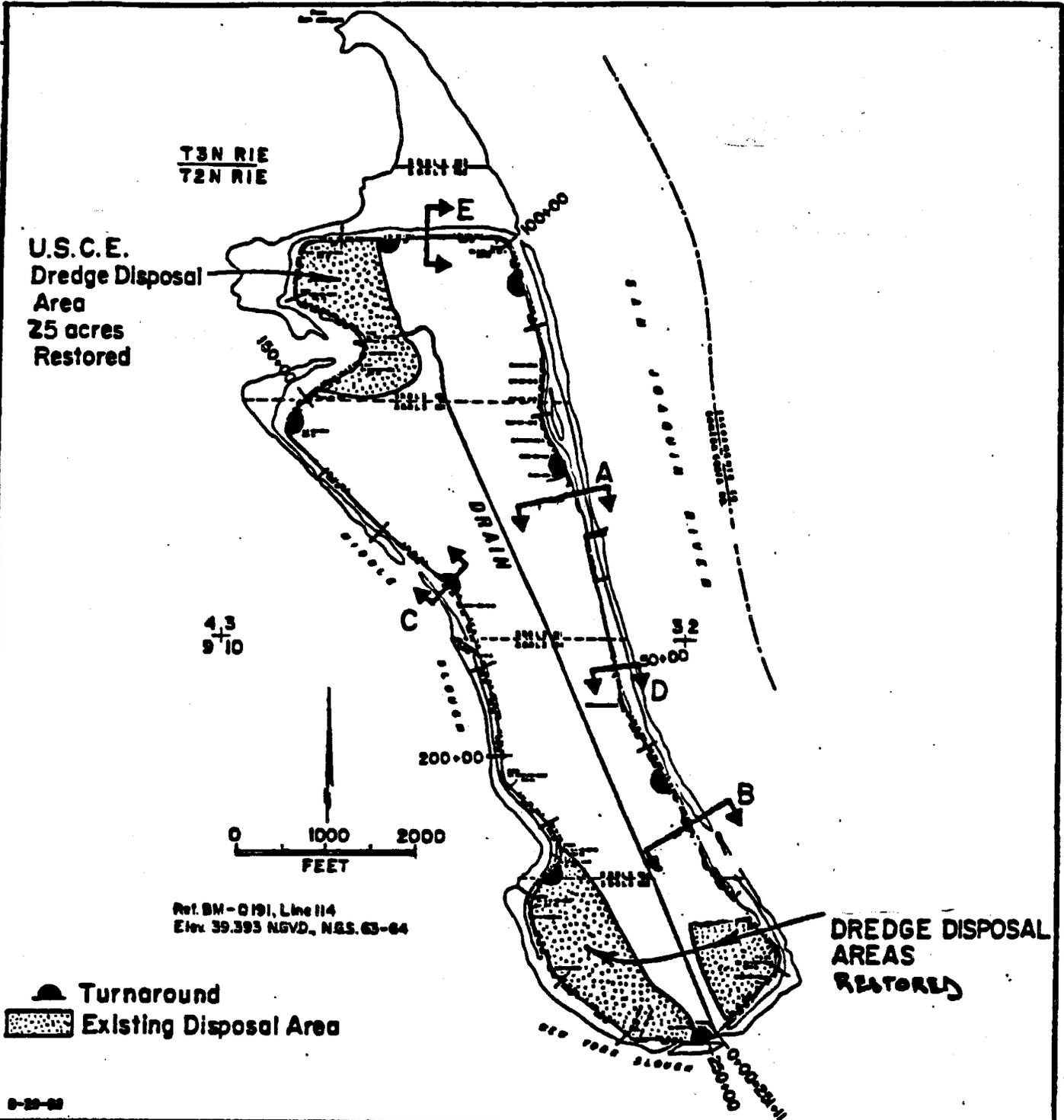
SAN JOAQUIN RIVER  
MIDDLE SLOUGH  
NEW YORK SLOUGH

**APPLICANT:**  
RECLAMATION DISTRICT 2122  
WINTER ISLAND

**LEVEE  
REHABILITATION**

**PURPOSE: FLOOD CONTROL**

DATUM: N.S.V.D.  
COUNTY: CONTRA COSTA



**PLAN VIEW**  
**WINTER ISLAND**

SAN JOAQUIN RIVER  
 MIDDLE SLOUGH  
 NEW YORK SLOUGH

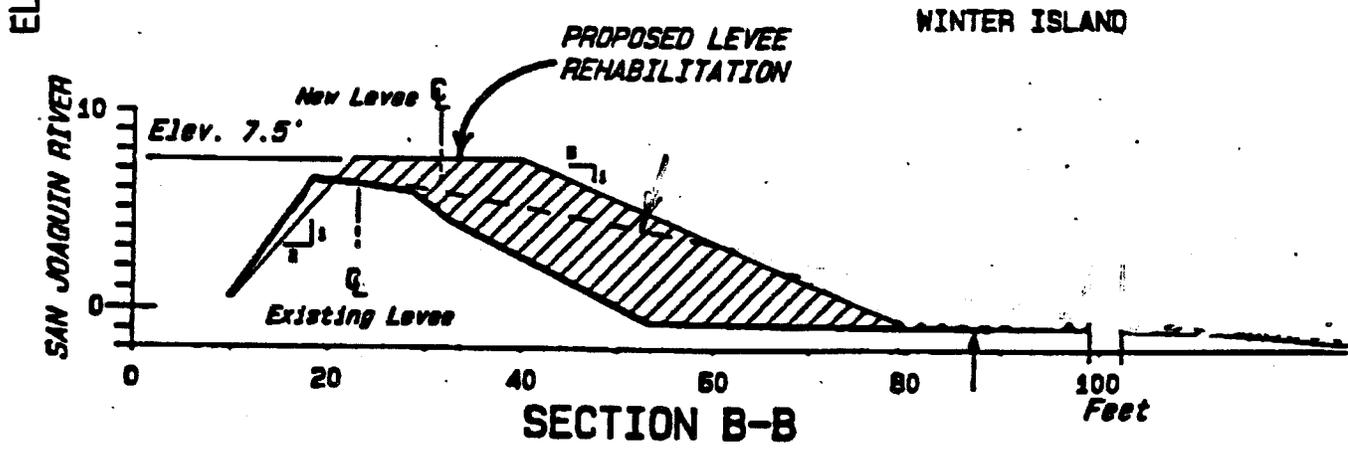
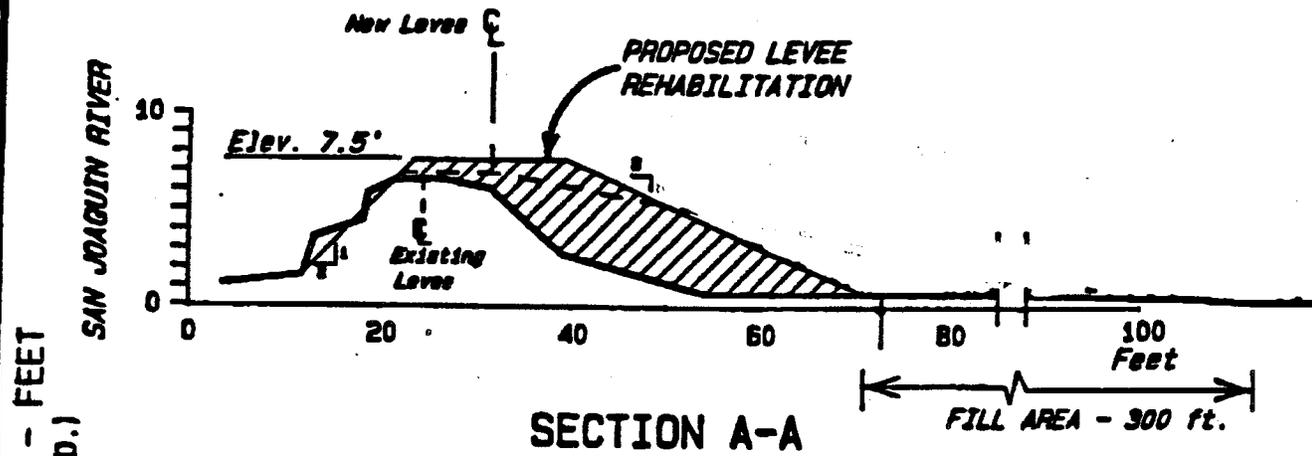
**APPLICANT:**  
 RECLAMATION DISTRICT 2122  
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WINTER ISLAND

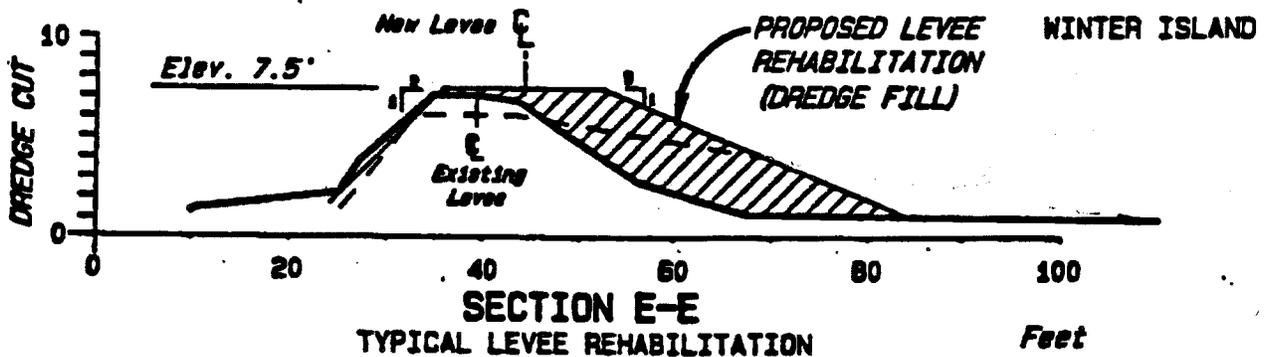
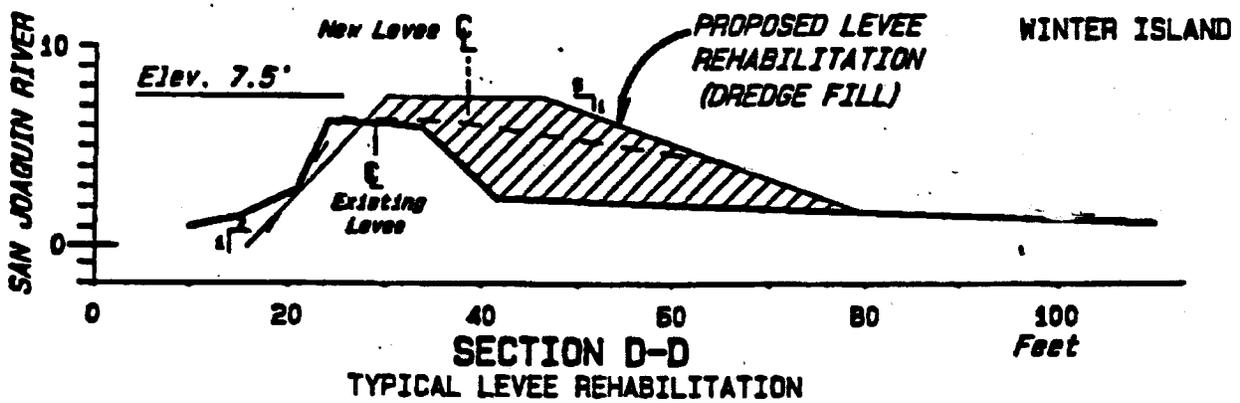
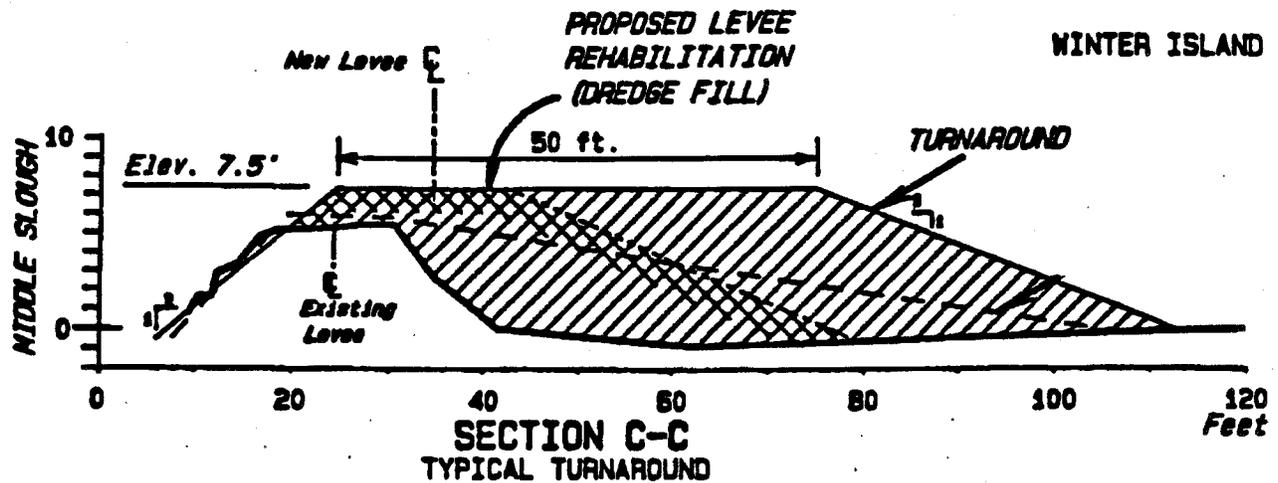


**TYPICAL DISPOSAL SITE SECTIONS**

SCALE: 1"=20' Horiz. & 1"=10' Vert.

9-29-88

|  |  |   |
|--|--|---|
| <p><b>TYPICAL SECTIONS<br/>WINTER ISLAND</b></p>               | <p><b>APPLICANT:</b><br/>RECLAMATION DISTRICT 2122<br/>WINTER ISLAND</p> | <p><b>LEVEE<br/>REHABILITATION</b></p>          |
| <p>SAN JOAQUIN RIVER<br/>MIDDLE SLOUGH<br/>NEW YORK SLOUGH</p> |  | <p><b>PURPOSE: FLOOD CONTROL</b></p>            |
|  |  | <p>DATUM: N.G.V.D.<br/>COUNTY: CONTRA COSTA</p> |



**TYPICAL LEVEE SECTIONS**

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**TYPICAL SECTIONS  
WINTER ISLAND**

SAN JOAQUIN RIVER

MIDDLE SLOUGH

NEW YORK SLOUGH

**APPLICANT:**  
RECLAMATION DISTRICT 2122  
WINTER ISLAND

**LEVEE  
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- b. Any additional analyses required by the Board on a case-by-case basis if it is determined that there is a potential for receiving water limits to be exceeded
7. **Levee Rehabilitation Area Monitoring** shall include the following:
- a. Post-placement sampling of sediments consisting of one grab sample per 5,000-10,000 cubic yards of sediments placed.
  - b. Post-placement analyses of sediments following protocols specified in the U. S. Army Corps of Engineers Public Notice 99-3, Table 2 (or current version of this guidance). Additional testing may be required on a case-by-case basis, as determined by results from pre-placement testing.

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The reports shall contain the following:

- a. Letter of Transmittal

A letter transmitting the essential points in each report should accompany each report. Such a letter shall include a discussion of any requirement violations found during the last report period, and actions taken or planned for correcting the violations. If the Dischargers have previously submitted a detailed time schedule for correcting requirement violations, a reference to the correspondence transmitting such schedule will be satisfactory. If no violations have occurred in the last report period this shall be stated in the letter of transmittal. Monitoring reports and the letter transmitting the monitoring reports shall be signed by the duly authorized representative of the Winter Island Reclamation District if such representative is responsible for the overall operation of the facility from which the discharge originates. The letter shall contain a statement by the official, under penalty of perjury, that to the best of the signer's knowledge the report is true, complete, and correct.

- b. The quantity of dredged material placed and a description of other levee rehabilitation or maintenance activities occurring during the reporting period, and the locations of material placement and other activities.
- c. A map or aerial photograph shall accompany each report showing observation and monitoring stations and levee rehabilitation and/or staging area locations.
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  - i. The methods of analyses and detection limits must be appropriate for the expected concentrations. Specific methods of analyses must be identified. If methods other than EPA approved methods or Standard Methods are used, the exact methodology must be submitted for review and approved by the Executive Officer.
  - ii. In addition to the results of the analyses, laboratory quality assurance/quality control (QA/QC) information must be included in the monitoring report. The laboratory QA/QC information should include the method, equipment and analytical detection limits; the recovery rates; an explanation for any recovery rate that is less than the recovery acceptance limits specified in the USEPA method procedures or the laboratory's acceptance limits, if they are more stringent than those in the USEPA method procedures; the results of equipment and method blanks; the results of spiked and surrogate samples; the frequency of quality control

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- e. A summary and certification of completion of all Standard Observations for the facility.
  - f. A summary and certification of completion of all Operations Monitoring information.
2. By January 31 of each year, the Discharger shall submit an annual report to the Regional Board covering the previous calendar year activities. This report shall contain the following:
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3. **Contingency Reporting**

A report to the Executive Officer and Regional Board case manager shall be made by telephone of any accidental discharge of whatever origin immediately after it is discovered. A written report shall be filed with the Board within five days thereafter. This report shall contain the following information:

- a. A map showing the location(s) of discharge(s);
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- c. Nature of effects, ie., all pertinent observations and analyses; and
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**PART B: MONITORING AND OBSERVATION SCHEDULE**

**A. DESCRIPTION OF OBSERVATION AND MONITORING STATIONS**

1. **Receiving water standard observations** shall be made at the interior drainage ditch adjacent to the levee maintenance area. Observations shall be made along the entire length of the levee maintenance area.
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**Table 2. Receiving Water and Operations Monitoring for Winter Island**

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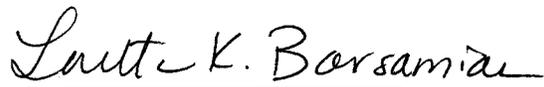
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Oakland, CA 94612

I, Loretta K. Barsamian, Executive Officer, hereby certify that the foregoing Self-Monitoring Program:

1. Has been developed in accordance with the procedure set forth in this Board's Resolution No. in order to obtain data and document compliance with waste discharge requirements established in Regional Board Order No. 01-061
2. Was adopted by the Board on June 19, 2001; and
3. May be reviewed at any time subsequent to the effective date upon written notice from the Executive Officer or request from the Dischargers, and revisions will be ordered by the Executive Officer or the Board.



Loretta K. Barsamian  
Executive Officer



# California Regional Water Quality Control Board

## San Francisco Bay Region



Gray Davis  
Governor

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

Date: JUN 29 2001

File No. 2199.1230 (SES)

Certified Mail No. 70993220000146714584  
Mr. Gary Eames  
Winter Island Reclamation District (RD 2122)  
P.O. Box 3606  
Walnut Creek, California 94598

**SUBJECT:** Transmittal of Final Waste Discharge Requirements and Water Quality Certification for Levee Rehabilitation at Winter Island in Contra Costa County (Regional Board Order No. 01-061)

Dear Mr. Eames

Enclosed is a copy of the Final Waste Discharge Requirements and Water Quality Certification for levee rehabilitation operations at Winter Island. These Requirements were adopted by the San Francisco Bay Regional Water Quality Control Board as Order No. 01-061 on June 19, 2001.

If you have any questions regarding this Order, please contact Shelby Sheehan at (510) 622-2448, or by email, at [ses@rb2.swrcb.ca.gov](mailto:ses@rb2.swrcb.ca.gov).

Sincerely,

Loretta K. Barsamian  
Executive Officer

Enclosure

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.

For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.