

GENERAL MAINTENANCE ORDER - CLAUSES FOR REVIEW

1. The Discharger must submit a mailing list of the property owners within a 300-foot radius of the proposed discharge as part of the RWD. After the Executive Officer determines that a proposed discharge is eligible for enrollment under this General Order, a notice of the Regional Board's intent to enroll the proposed discharge under the General Order will be mailed to all adjoining property owners within a 300-foot radius of the discharge. The property owners and other interested persons will be allowed a two-week comment period. After receipt of the comments, the Executive Officer may schedule a public hearing before the Regional Board to consider the applicant's enrollment under this General Order, or may issue the Notice of Applicability (NOA).

2. A cultural resources investigation shall be conducted before any disturbance of land that has not been disturbed previously. The cultural resources investigation shall include, at a minimum, a records search for previously identified cultural resources and previously conducted cultural resources investigations of the project parcel and vicinity. This record search shall include, at a minimum, contacting the appropriate information center of the California Historical Resources Information System, operated under the auspices of the California Office of Historic Preservation. In coordination with the information center or a qualified archaeologist, a determination shall be made regarding whether previously identified cultural resources will be affected by the proposed project and if previously conducted investigations were performed to satisfy the requirements of CEQA. If not, a cultural resources survey shall be conducted. The purpose of this investigation will be to identify resources before they are affected by a proposed project and avoid the impact. If the impact is unavoidable, a project-specific environmental document will be necessary and coverage under this General Order will not be allowed.

3. Levee improvement projects that use dredged materials have a potential for erosion until the material has been significantly incorporated into the levee embankment. During the wet season, dredged materials can be eroded off the levee embankment and subsequently discharged to surface waters via adjacent stormwater, agriculture and reclamation ditches. To control erosion, it is appropriate the Discharger implement an Erosion Control Plan. If the levee rehabilitation project is greater than one (1) acre in size than a NPDES General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000002, Order No. 99-28-DWQ is required. Compliance with this permit is sufficient to satisfy the conditions for an erosion control plan.

4. A poorly designed and constructed confined disposal facility may allow short-circuiting of the slurry within the settling pond(s) to occur. Short-circuiting reduces the retention time and may allow waste to be discharged with the return water. In addition, the confined disposal facility may be hydraulically overloaded if the slurry discharge rate exceeds the disposal site's capacity. Therefore, requirements for the confined disposal facility to be designed and constructed under the supervision of a registered engineer is appropriate. Return water discharge rates shall be based on the confined disposal facility's design criteria but shall not exceed 1 MGD.

Comment [s1]: May not be necessary for dredge areas if maintenance dredging has already occurred. Should be just for the placement site?

Comment [s2]: Should just be for placement site. How will it be accomplished on back side of levee? Are there any historical sites on the backside of levees?

Comment [s3]: What are the required components of an erosion control plan?

Comment [s4]: Should this requirement be only for projects above a certain size or volume? What size?

5. Reduced, anaerobic conditions found in the sediments favor sulfide generation that generally makes metals biologically unavailable. Dredging operations expose the sediment/materials to oxygenated water and aerobic conditions that oxidize the sulfide complexes to sulfate salts resulting in an increase in acidity. As the acidity increases, the pH lowers, which generally makes various metals more soluble, bio-available, and toxic. In order to maintain a neutral pH condition in the dredged materials, soil amendments, such as lime, can be added to the dewatered dredged materials to compensate for the acid generation. In order to determine that the dredge material is sufficiently neutralized, requirements for monitoring the pH value of dredged material are appropriate.

Comment [s5]: Is liming still an acceptable practice?

6. Dredging operations in the Stockton Deep Water Ship Channel which are situated between the City of Stockton and Disappointment Slough are not appropriate or authorized under this General Order since dredging projects have the potential to exacerbate the existing low dissolved oxygen impairment in this CWA 303(d) listed water body.

Comment [s6]: Should be a moot point for maintenance dredging to previously authorized levels.

7. The underlying groundwater in the Delta is very shallow in some areas and is also subject to seasonal variations and tidal influence. Waste characterization for "inert waste" requires that the Discharger use a waste attenuation factor for characterization purposes. Because of the shallow depth of the groundwater, waste attenuation within the unsaturated soil column is limited. Therefore, a waste attenuation factor of one is assigned for the purpose of waste classification. However, the Discharger may perform a geological evaluation to determine the actual soil characteristics, depth to groundwater and groundwater quality at the proposed disposal site. Based on site-specific considerations, a higher waste attenuation factor may be used with the approval of the Executive Officer.

Comment [s7]: Can we develop acceptable attenuation factors for specific areas?

8. All areas disturbed by the project activities shall be protected from washout and erosion. The Discharger shall develop and implement an Erosion Control Plan. The Erosion Control Plan shall be submitted with the RWD.

Comment [s8]: Is this for dredging site or placement site. Part of the RWD application. What elements should be included?

9. The Discharger shall operate all systems and equipment to maximize treatment of return water and optimize the quality of the discharge.

Comment [s9]: Too vague. What should be maximized? What equipment?

10. The discharge, in combination with other site-derived sources, shall not cause underlying groundwater to contain waste constituents statistically greater than background water quality.

Comment [s10]: Not clear. How is "statistically greater" different from "greater"? What statistical analysis is appropriate?

11. Within 60 days of receiving sample data that shows that the dewatered dredge material has a pH value less than 6.0 standard unit, the Discharger must submit a Dredge Material pH Management Workplan. The workplan shall describe the improvements and/or corrective action(s) taken to stabilize and maintain the dredge material's pH value between 6.0 and 8.0 standard units.

Comment [s11]: What actions can be taken? Does it matter?