

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 70-56

PRESCRIBING REQUIREMENTS FOR WASTE DISCHARGE BY THE TOWN OF EMERYVILLE INTO A LANDFILL SITE ON SAN FRANCISCO BAY AT THE WESTERN EXTENSION OF POWELL STREET, IN EMERYVILLE, ALAMEDA COUNTY, AND RESCINDING RESOLUTION NO. 68-4

WHEREAS THIS REGIONAL BOARD HAS CONSIDERED

INFORMATION ABOUT THIS DISCHARGE

1. The Town of Emeryville, called the discharger below, filed a Report on Waste Discharge dated December 23, 1969 with this Regional Water Quality Control Board pursuant to Section 13260(b) of the California Water Code.
2. That report and other data submitted includes the following information:

This discharge will consist of bay mud, imported earth, and demolition debris to dike and fill approximately 8 acres of tidelands for the construction of a small boat marina, and associated facilities.

Excavation of approximately 180,000 cubic yards of bay mud will be required to construct perimeter dikes. Interior filling, within dewatered cells, will require approximately 325,000 cubic yards of imported earth and demolition debris.

Rock rip-rap slope protection will be provided on all bayward faces of the dikes.

Construction will require approximately one year. The Town Engineer has informed the staff that there is urgency with respect to dike construction, using "clean fill" only, because of current availability of such fill.

CORRESPONDENCE

This Regional Board has considered recommendations about this matter from:

1. State Department of Fish and Game in its memorandum dated February 9, 1970.
2. State Department of Public Health in its memorandum dated February 3, 1970.

STAFF INVESTIGATION

1. The Bay Conservation and Development Commission, on June 4, 1970 issued a permit to the Town of Emeryville to construct the marina and associated facilities.
2. These wastes can affect the following present beneficial water uses of San Francisco Bay in the vicinity of the site:

Industrial water supply year-round

Swimming, water-skiing, skin-diving, wading, pleasure boating, marinas, fishing and hunting

Fish, and wildlife propagation and sustenance, and waterfowl and migratory birds habitat and resting place

Navigation channels and port facilities

Esthetic enjoyment

3. Land within 5,000 feet of the site is used for recreation, business, industry, and transportation.
4. Land within 2,000 feet of the site has been approved for residential use.

RESOLVED BY THIS REGIONAL BOARD

BOARD INTENT

1. Protect the public health as it may be affected by this waste discharge.
2. Prevent nuisance, as defined in Section 13050(m) of the California Water Code.
3. Protect the beneficial water uses listed under "Staff Investigation", above.

WASTE DISCHARGE REQUIREMENTS

The discharge of waste shall not:

1. Cause waste material to be in any position where it is, or can be, carried from the disposal site and deposited into waters of the State.
2. Create a nuisance, as defined in Section 13050(m) of the California Water Code.
3. Result in drainage from the materials in the site, or any condition that might cause such drainage.
4. Cause any alteration in turbidity or discoloration beyond natural background levels in waters of the State at any place.
5. Cause floating, suspended, or deposited macroscopic particulate matter, foam, oil or grease in waters of the State at any place.

6. Cause surface waters of the State to exceed the following limits of quality at any place:

Dissolved Oxygen	5.0 mg/l minimum
Dissolved Sulfide	0.1 mg/l maximum
pH	7.0 minimum 8.5 maximum
Other substances	Any one or more substances in concentrations that impair any of the protected beneficial water uses or make aquatic life or wildlife unfit or unpalatable for consumption.

PROHIBITIONS

Pursuant to Section 13243 of the California Water Code, this Regional Board prohibits at any time the disposal, placement or storage of materials at this site which are acceptable only at Class I or Class II disposal sites as defined in the policy adopted by Resolution No. 69-42.

REPORTING REQUIREMENTS

This resolution includes items numbered 1, 6 and 7 of the attached "Reporting Requirements" dated January 1, 1970.

NOTIFICATIONS

1. Resolution No. 68-4 is hereby rescinded.
2. This resolution includes items numbered 1 through 6 of the attached "Notifications" dated January 6, 1970.

WILLIAM C. WEBER
Chairman

July 23, 1970

I, Fred H. Dierker, hereby certify that the foregoing is a true and correct copy of Resolution No. 70-56 adopted by the California Regional Water Quality Control Board, San Francisco Bay Region at its regular meeting on July 23, 1970.

FRED H. DIERKER
Executive Officer
CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD - SAN FRANCISCO BAY REGION