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SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

June 25, 2019

Matthew Arms
Acting Director of Environmental Planning
Port of Long Beach
4801 Airport Plaza Drive
Long Beach, CA 90815

TRANSMITTAL OF TENTATIVE AMENDMENT TO WASTE DISCHARGE REQUIREMENTS (WDRs) FOR PORT OF LONG BEACH MIDDLE HARBOR REDEVELOPMENT PROJECT (FILE NO. 09-204)

Dear Mr. Arms,

The Los Angeles Regional Water Quality Control Board's (Regional Water Board's) letter dated April 9, 2019, transmitted the Tentative Amendment of the Waste Discharge Requirements for the Port of Long Beach Middle Harbor Redevelopment Project.

In accordance with administrative procedures, this Regional Water Board at a public hearing held on June 13, 2019, reviewed the tentative amendment, considered all the factors in the case, and adopted Order No. **R4-2014-0202-A02**, as proposed, for the Port of Long Beach Middle Harbor Redevelopment Project.

The adopted Amendment will be sent only to the Discharger. However, this document is available on the Regional Water Board's website for your review. The Regional Water Board's web address is www.waterboards.ca.gov/losangeles/.

If you have any questions regarding this proposed action, please contact me at (213) 620-2083 or via email at cris.morris@waterboards.ca.gov.

Sincerely,

Cris Morris, P.E., P.M.P.
Watershed Regulatory Section Chief

Enclosures:
Tentative Waste Discharge Requirements
Monitoring and Reporting Program

cc: Elizabeth Payne, Water Quality Certification Unit, SWRCB
Melissa Scianni, U.S. Environmental Protection Agency
Allan Ota, U.S. Environmental Protection Agency
Theresa Stevens, U.S. Army Corps of Engineers
Lisa Mangione, U.S. Army Corps of Engineers
Antal Szijj, U.S. Army Corps of Engineers
Bryant Chesney, National Marine Fisheries Service
Loni Adams, California Department of Fish and Wildlife
Carol Roberts, U.S. Fish and Wildlife Service
Larry Simon, California Coastal Commission
Annalisa Moe, Katherine Pease, Heal the Bay
Arthur Pugsley, LA Waterkeeper
James Vernon, Dylan Porter, and Janna Morimoto, Port of Long Beach

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

ORDER NO. R4-2014-0202-A02

WASTE DISCHARGE REQUIREMENTS
FOR
PORT OF LONG BEACH
(MIDDLE HARBOR REDEVELOPMENT PROJECT)
(FILE NO. 09-204)

The California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board) issues this Order, amending Order No. R4-2014-0202-A01, pursuant to California Water Code section 13263, and finds:

1. The Regional Water Board issued Waste Discharge Requirements (WDRs) in Order No. R4-2010-0020 to the Port of Long Beach (POLB) for discharging fill into waters of the U.S. and performing dredging/excavation, demolition, and other construction activities in association with the 10-year Middle Harbor Redevelopment Project (Project). This order was renewed by Order No. R4-2014-0202 on October 13, 2014. The Regional Water Board again renewed WDRs for the Project in Order No. R4-2014-0202-A01 on April 17, 2017. This Project has been separated into multiple contract phases. Dredge and fill operations associated with the first three phases of the Project are now complete. Dredge and fill operations associated with the final phase of the Project began in March 2018 and are estimated to be complete in 2020. A figure of the Project area is included as Figure 1.
2. Through each phase of the Project, best management practices (BMPs) were implemented to ensure that fill material remained in the designated fill locations. Prior to the start of Phase 3 fill activities, a sediment trap best management practice was approved and constructed to intercept material that escaped the fill site through the weir during hydraulic filling. While the sediment trap did capture material that escaped the weir during hydraulic fill activities, additional material accumulated within the Project's East Basin (within the Project's construction boundary). Fill activities during the final phase of the fill may result in additional accumulation of fines within the Project's East Basin, including the sediment trap. To meet the regulatory requirements of the Regional Water Board Order, the POLB will conduct cleanup dredging of all accumulated material in the Project's East Basin as well as cleanup of accumulated material within the Federal Channel (if necessary).
3. On October 24, 2018, the POLB submitted a letter to the Regional Water Board requesting approval to place up to 230,000 cubic yards of cleanup material from the Project within the Slip 3 borrow area. A revised Master Dredging Permit Application in connection with the amendment request was submitted on March 12, 2019.

4. Slip 3 was dredged during Phase 1 of the Project and currently has a capacity of approximately 230,000 cubic yards to restore the borrow area back to pre-project conditions. Material that has accumulated in the sediment trap and East Basin is primarily from the West Basin or Pier Echo, which was tested prior to placement in the fill and is clean material suitable for open ocean disposal.
5. As lead agency, the Long Beach Board of Harbor Commissioners certified the Final Environmental Impact Report (EIR) for the Middle Harbor Redevelopment Project on April 13, 2009. This document was considered and relied upon in the preparation of Order No. R4-2014-0202 and the amendment to this Order, Order No. R4-2014-0202-A01, in 2014 and 2017, respectively. The dredge and fill activities covered by this Order will not exceed the boundaries of the prior Project. The overall sediment management plan for the Middle Harbor Redevelopment Project has not changed. This amendment will provide an additional sediment disposal location for material suitable for open ocean disposal within the Project boundaries, reducing emissions from barge and/or truck trips to dispose of the material beyond the Project boundaries. The Project impacts remain unchanged. In short, the Order does not have any significant effects that were not previously evaluated and mitigated in the original EIR. The Regional Water Board, as a responsible agency under CEQA, finds that all environmental effects have been identified for project activities that it is required to approve, and that the project will not have significant adverse impacts on the environment provided that the mitigation presented in the final EIR and additional best management practices identified in Order No. R4-2014-0202 and Order No. R4-2015-0202-A01, are carried out as conditioned in this Order. In adopting this Order, the Regional Water Board has eliminated or substantially lessened the less-than-significant effects on water quality, and therefore approves the project.
6. The Regional Water Board, in a public hearing, heard and considered all testimony pertinent to the matter. All Orders referred to above, the Regional Water Board files and records of hearings and testimony therein are included in the administrative record for this matter.

IT IS HEREBY ORDERED that Order No. R4-2014-0202-A01 is hereby amended as follows, additions are underlined, and deletions are stricken through. All other portions of Order R4-2014-0202-A01 remain in full force and apply to the discharge.

Revise Provision B.1 as follows:

"This Order authorizes excavation and dredging of a maximum volume of 2.45 million cubic yards of material from the Pier T, West Basin, Pier Echo, East Basin and Pier F cut areas, and for disposal of this material within the Middle Harbor Confined Disposal Facility. This Order authorizes disposal of a maximum volume of 400,000 cubic yards of final surcharge material at the Western Anchorage Sediment Storage Site <u>and 230,000 cubic yards at the Slip 3 borrow area</u>."

I, Renee Purdy, 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, Los Angeles Region on June 13, 2019.

Renee Purdy
Executive Officer

Figure 1 – Middle Harbor