CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION No. R2-2015-0022

CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT FOR THE UNITED STATES ARMY CORPS OF ENGINEERS, SAN FRANCISCO DISTRICT, MAINTENANCE DREDGING OF THE FEDERAL NAVIGATON CHANNELS IN SAN FRANCISCO BAY, FISCAL YEARS 2015-2024

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

1. The United States Army Corps of Engineers (USACE) and the Water Board prepared a joint Environmental Assessment (EA)/Environmental Impact Report (EIR) to address the environmental effects of maintenance dredging of the federal navigation channels in San Francisco Bay and the associated placement of dredged materials for a period of 10 years. USACE is the National Environmental Policy Act lead agency, and the Water Board is the California Environmental Quality Act lead agency;

2. USACE proposes to continue maintenance dredging of the federal navigation channels in San Francisco Bay to maintain the navigability of the channels. The Water Board will consider for adoption Waste Discharge Requirements (WDRs) and a federal Clean Water Act section 401 water quality certification (Certification) for USACE's continued maintenance dredging operations in San Francisco Bay. The EIR is intended to fulfill the Water Board's CEQA compliance requirements for issuance of WDRs and Certification to USACE;

3. The EIR was prepared in accordance with the California Environmental Quality Act (CEQA) of 1970, Public Resources Code, section 21000 *et seq*., as amended; the Guidelines for Implementation of CEQA, Title 14, California Code of Regulations, section 15000 *et seq*.;

4. This EIR evaluates in detail the potential environmental impacts of four alternatives: the No Action/No Project Alternative, the Proposed Action/Project, and two reduced-hopper dredge use alternatives;

5. On December 5, 2014, the Draft EIR and Notice of Completion were transmitted by the State Clearinghouse (SCH No. 2013022056) and copies were independently mailed to all agencies and persons known to be interested in this matter, thus initiating a 30-day public review and comment period;

6. On December 5, 2014, the Water Board provided public notice of the Draft EIR to the public, responsible agencies, trustee agencies, and other interested persons. A public meeting to present the findings of the Draft EA/EIR and solicit comments was held on January 7, 2015;

7. On March 20, 2015, the Water Board provided to the public, responsible agencies, trustee agencies, and other interested persons, Tentative WDRs (Water Code §§ 13260 *et seq*.) and Certification under section 401 of the Clean Water Act (Tentative Order) for the federal navigation channel maintenance dredging program in San Francisco Bay and for placement of dredged material

created by these activities over a five-year period. The Tentative Order incorporates the CEQA findings of the EIR;

8. The Water Board has received and considered comments on the Draft EIR and the responses to comments are reflected in the Final EIR (FEIR), Appendix C;

9. The FEIR has been modified to take into account some of the comments as well as some additional changes initiated by USACE and the Water Board. These changes clarify existing provisions but no significant new information has been added to the document.

10. The Water Board finds that on the basis of the whole record, the project as described in the Tentative Order substantially lessens all significant effects on the environment where feasible or has determined that any remaining significant effects on the environmental are acceptable due to overriding concerns. The FEIR and the record of proceedings are available at the Water Board's offices;

11. In accordance with Title 14 of the California Code of Regulations, section 15094, the Water Board will file a Notice of Determination with the State Clearinghouse within five working days from the issuance of the Order;

12. The EIR reflects the independent judgment and analysis of the Water Board; and

13. The Water Board considered all testimony and evidence at a public hearing held May 13, 2015, in Oakland, and good cause was found to certify the EIR.

NOW, THEREFORE BE IT RESOLVED that the Water Board hereby certifies the Environmental Impact Report for the Project.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on May 13, 2015.

Digitally signed by Bruce H. Wolfe
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Date: 2015.05.20 16:59:05 -07'00'

Bruce H. Wolfe
Executive Officer