

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 87-053

Resolution Delegating the Authority to the Executive Officer to Waive Water Quality Certification for Certain Categories of Activities under Section 401 of the Clean Water Act.

- I. WHEREAS, state water quality certification is required under Section 401 of the Clean Water Act for Section 404 dredge and fill permits; and
- II. WHEREAS, California State Water Resources Control Board is the authorized state water quality certification agency; and
- III. WHEREAS, this Regional Water Quality Control Board is the delegated reviewer of Corps of Engineers Section 404 permits for the San Francisco Bay Region; and
- IV. WHEREAS, the Regional Board has in Resolution 70-11 delegated to Executive Officer certain powers and duties that includes making recommendations to the California State Water Resources Control on water quality certifications; and
- VI. WHEREAS, waiving requirements for certain categorical types of activities is not against the public interest because it avoids unnecessary expenditures of Board Resources; and
- VII. WHEREAS, many types of activities have a relatively insignificant adverse effect on the waters of the state; and
- VIII. WHEREAS, the Regional Board has, in Resolution 80-10, stated its policy with respect to Dredged Sediment Disposal in the San Francisco Bay Region; and
- IX. WHEREAS, the Regional Board has, in Resolution 83-3, delegated its authority to the Executive Officer to waive waste discharge requirements for specific types of discharge; and
- X. WHEREAS, the Regional Board has stated its intent to revise its dredge disposal policy in its revised Basin Plan; and
- XI. WHEREAS, This action is being taken by a regulatory agency for the protection of the environment and as such is exempt from the provisions of the California Environmental Quality Act in accordance with Section 15308, Chapter 3, Title 14, California Administrative Code; and
- XII. WHEREAS, the Regional Board on April 15 and May 20, 1987, held a hearing in Oakland, California and considered all evidence concerning this matter:
- XIII. THEREFORE, BE IT RESOLVED, that the Executive Officer is delegated the authority to waive water quality certification for

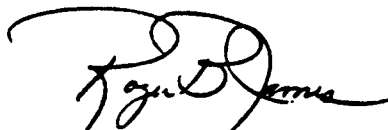
certain categories of activities pursuant to the following criteria:

1. The proposed activity is not expected to have a significant water quality impact; and
2. The proposed activity complies with fish and wildlife agency agreements; and
3. Where appropriate, the applicant agrees to certain activity conditions and stipulations to mitigate and/or prevent water quality impacts.
4. The proposed activity involves the excavation and disposal of 50,000 cubic yards or less per year of San Francisco Bay sediments.
5. The proposed activity involves the filling of 2 acres or less of wetlands.
6. The proposed activity is consistent with the provisions in the Basin Plan and applicable Regional Board policy.

XIV. BE IT FURTHER RESOLVED, this resolution supersedes Resolution 70-11 in so far as it applies to water quality certification; and

XV. BE IT FURTHER RESOLVED, the Executive Officer will present the proposed activity to the Regional Board for a water quality certification determination and recommendation to the State Board if waiver of water quality certification for certain categories of activities listed above cannot be made by the Executive Officer.

I, ROGER B. JAMES, 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 20 May, 1987.


ROGER B. JAMES
Executive Officer