

Excerpted from:

The U.S. Army Corps of Engineers And The Napa County Flood Control and Water Conservation District, Napa River/Napa Creek Flood Reduction Project, Napa County - Permit Issuance

Issuance Date: September 15, 1999

Discharge Prohibitions

1. The discharge of wastes from soil removal sites or construction areas, to surface waters or surface water drainage courses is prohibited.
2. The discharge of fill as defined under Section 401 of the Federal Clean Water Act, except as identified in the Supplemental General Design Memorandum FSEIS/EIR or Provisions of this order, is prohibited.
3. Project activities subject to these requirements shall not cause a nuisance as defined in Section 13050(m) of the California Water Code.
4. The discharge of decant water from saturated soil drying sites, to surface waters or surface water drainage areas is prohibited.
5. The discharge of silt, sand, soil, clay, or other earthen materials from excavation or construction activities in quantities sufficient to cause deleterious bottom deposits, deleterious turbidity or deleterious discoloration of surface waters is prohibited.

Receiving Water Limitations

1. Soil removal or disposal, or construction activities shall not cause:
 - a) Floating, suspended or deposited macroscopic particulate matter or foam in waters of the State.
 - b) Alteration of apparent color beyond present natural background levels in waters of the State. For in-stream construction activities, this shall apply at any point beyond 1000 feet downstream of the point of the activity.
 - c) Visible floating, suspended, or deposited oil or other products of petroleum origin in waters of the State.

Receiving Water Limitations (cont'd)

- d) The Project activities shall not cause Waters of the State or exceed the following quality limits at any place:
 - i. Dissolved Oxygen: 5.0 mg/l minimum. When natural factors cause lesser concentrations, then this discharge shall not cause reduction in the concentration of dissolved oxygen.
 - ii. pH: A variation of natural ambient pH by more than 0.5 pH units.
 - iii. Toxic or other deleterious substances: None shall be present in concentrations or quantities which may cause deleterious effects on aquatic biota, wildlife or waterfowl, or which render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentrations.
- 2. Turbidity of the waters of the State, as measured in NTUs, shall not increase above background levels by more than the levels identified below. For in-stream construction activities, this shall apply at any point beyond 1000 feet downstream of the point of the activity.

<u>Receiving Waters Background</u>	<u>Incremental Increase</u>
<50 units	5 units, maximum
50-100 units	10 units, maximum
≥ 100 units	10% of background

- 3. The groundwater shall not be degraded as a result of the soil disposal and handling operation or any other activities permitted by this Order.

Best Management Practices to maintain water quality during in-water construction activities:

- 1. Prepare a Best Management Practices Plan to be implemented for each phase of the Project to minimize any increases in turbidity from in-water construction activities. This Plan will be prepared in consultation with Board staff and other Resource Agency staff.

Detailed plans for the construction and operation of a temporary treatment and storage site for material classified as non hazardous solid waste, designated waste or hazardous waste shall be submitted by March 15, 2000:

1. Identify and map proposed soil treatment and storage areas and existing wetland and drainage areas. Soil Treatment and storage areas shall be located to avoid impacts to groundwater, surface water and wetlands.
2. Discuss site selection and design, waste characterization, and management measures consistent with Title 27.

Design Provisions

1. The Dischargers shall submit final design plans for Executive Order approval by September 30, 2000.

Mitigation, Monitoring and O&M Provisions

1. The Dischargers shall submit by June 15,2000, for written approval of the Executive Officer, final Operations and Maintenance (O&M) Manual sections, which apply to environmental concerns such as maintenance dredging; bank stabilization; vegetation removal; and hydraulic, sediment and vegetation monitoring. The extent and location of vegetation and sediment removal shall be determined through the use of hydraulic modeling. O&M shall be conducted according to the Manual. The O&M Manual may be amended with written approval of the Executive Officer.

General Provisions

1. The Dischargers shall obtain coverage for all construction activities under the State Board's NPDES General Permit for Stormwater Discharges Associated With Construction Activities. The General Permit requires, in part, the development of a Storm Water Pollution Prevention Plan (SWPPP) or all construction activities, prior to commencement of construction to insure that there is no discharge of waste or Board staff prior to commencement of construction.
2. The Dischargers shall remove and relocate any wastes which are discharged at any sites in violation of this Order.
3. Soil removal, transport or disposal operations shall cease immediately whenever violations of requirements are detected through implementation of the Self-Monitoring Program, and operations shall not resume until alternate methods of compliance are provided. The Dischargers shall notify the Board immediately whenever violations are detected.

4. The Dischargers are considered to have full responsibility for correcting any and all problems which arise in the event of a failure which results in an unauthorized release construction operations.
5. The discharge of any hazardous, designated or non-hazardous waste as defined in Title 27, Division 2, Subdivision 1, Chapter 2 of the California Code of Regulations shall be conducted in accordance with applicable state and federal regulations.