

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200



RECORD PACKET COPY

W 19**DATE:** June 22, 2005**TO:** Coastal Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Elizabeth A. Fuchs, Manager, Statewide Planning and Federal Consistency Division
Mark Delaplaine, Federal Consistency Supervisor

RE: Negative Determinations Issued by the Executive Director
[Executive Director decision letters are attached]

PROJECT #:	ND-038-05
APPLICANT:	U.S. Marine Corps
LOCATION:	Marine Corps Recruit Depot, San Diego
PROJECT:	Golf course expansion and fish cleaning station
ACTION:	Concur
ACTION DATE:	6/8//2005

PROJECT #:	ND-063-05
APPLICANT:	U.S. Navy
LOCATION:	Naval Weapons Station, Seal Beach, Orange Co.
PROJECT:	Fender repair and replacement
ACTION:	Concur
ACTION DATE:	6/15/2005

PROJECT #:	ND-068-05
APPLICANT:	U.S. Coast Guard
LOCATION:	Point Bonita, Marin Headlands, Marin Co.
PROJECT:	Replace and relocate Vessel Traffic Service communication tower
ACTION:	Concur
ACTION DATE:	5/20/2005

PROJECT #:	NE-070-05
APPLICANT:	Port of Oakland
LOCATION:	San Francisco Deep Ocean Disposal Site, offshore of San Francisco
PROJECT:	Disposal of material dredged from Port of Oakland Berths 32/33
ACTION:	No effect
ACTION DATE:	6/6/2005

PROJECT #:	ND-073-05
APPLICANT:	Corps of Engineers, Los Angeles District
LOCATION:	Federal channel adjacent to Queens Way Marina, Long Beach, Los Angeles Co.
PROJECT:	Dredge between 500 and 1,000 cubic meters of sediment from the L.A. River estuary
ACTION:	Concur
ACTION DATE:	6/8/2005

PROJECT #:	NE-075-05
APPLICANT:	Port of Oakland
LOCATION:	San Francisco Deep Ocean Disposal Site and SF-8, offshore of San Francisco
PROJECT:	Disposal of material dredged from Port of Oakland Berths Oakland Berths 22-26, 30, and 67-68
ACTION:	no effect
ACTION DATE:	6/14/2005

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June 8, 2005

Colonel S.J. Calleros
Marine Corps Recruit Depot
Western recruiting Region
ATTN: Hiphil Clemente
1600 Henderson Ave., Suite 238
San Diego, CA 92140-5001

Subject: Negative Determination ND-038-05, golf course expansion, Marine Corps Recruit Depot, San Diego

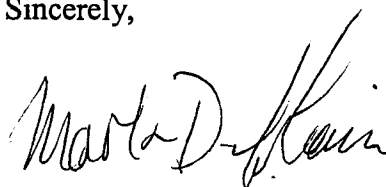
Dear Colonel Calleros:

The Coastal Commission staff has reviewed the above-referenced negative determination. The U.S. Marine Corps proposes to expand an existing pitch and putt golf course, construct a parking lot, and install a fish cleaning station at the Marine Corps Recruit Depot (MCRD) in San Diego. The project site is located between the NTC Boat Channel and the western boundary of the San Diego International Airport, and just south of the Marine Corps Community Services Marina and Boathouse complex. The existing course is approximately 0.75 acres in size and would be expanded to the south to include a vacant, disturbed 3.2-acre parcel of land within the MCRD. The expanded course would include three to five holes, new topsoil, turf, and an irrigation system. A parking lot for approximately 30 cars would be placed on an existing concrete slab at the northern end of the golf course. A fish cleaning station adjacent to the parking lot would include electricity, water, and sewer lines, sinks (with grinders), counter space, and a shade trellis. A walkway will be constructed to an existing shoreline path that connects the marina and a fishing pier adjacent to the golf course expansion area. Neville Road, which provides access to the Sithe Cogeneration Power Plant, will be relocated to the eastern side of the aforementioned 3.2-acre parcel.

The Draft Environmental Analysis for the project states that automobile-related pollutants (e.g., oil, radiator fluids) may be present on the subject 3.2-acre parcel. The Draft EA also states that a Storm Water Pollution Prevention Plan (SWPPP) will be developed prior to the start of project construction and will incorporate water quality control measures (e.g., grading, berms, plantings) to ensure that any on-site pollutants will not be transported into San Diego Bay (via the NTC Boat Channel) as a result of construction activities or golf course irrigation. The Marine Corps has committed in writing to provide the Commission staff with a copy of the SWPPP prior to construction. In this way, the Commission staff will be able to provide timely comments to the Marine Corps should revisions or modifications to the SWPPP be necessary in order to ensure protection of coastal water quality.

The proposed project will not affect public access or recreation as the project site is located within an area of the MCRD that is closed to the public for military security reasons. In conclusion, we **agree** with the Marine Corps that the proposed golf course project will not adversely affect coastal zone resources. We therefore **concur** with your negative determination made pursuant to Section 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,


(for)

PETER M. DOUGLAS
Executive Director

cc: San Diego Coast District Office
California Department of Water Resources
Governor's Washington, D.C., Office

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June 15, 2005

Jo Ellen Anderson
Community Planner
Naval Facilities Engineering Command
1220 Pacific Highway
San Diego, CA 92132-5190

Subject: Negative Determination ND-063-05, fender repair and replacement, Naval Weapons Station Seal Beach, Orange Co.

Dear Ms. Anderson:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Navy proposes to demolish the existing timber fender system located in Navy-owned waters adjacent to Ammunition Loading Wharf 311 in Anaheim Bay at the Naval Weapons Station Seal Beach. The existing system is structurally inadequate to safely berth and moor the naval vessels that use Wharf 311. The Navy also proposes to construct new primary and secondary fender systems and to repair damaged concrete at the wharf, quay wall, and cyclopean wall at Wharf 311.

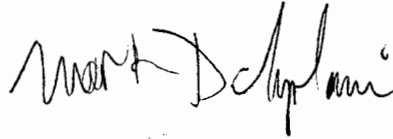
The demolition work includes removal of 133 16-inch diameter timber piles using a floating crane. This work may also require using a jetting process (a pump generating a high-pressure stream of seawater) to loosen mud around the base of the piles to allow for their extraction from the seafloor. All removed piers and fender materials will be transported to an approved inland landfill. The new system includes nine primary fender stations spaced 75 feet apart and secondary fendering between these stations and at wharf ends. The new fenders will be attached to 24-inch-square and 75-foot-long concrete pilings; the 155 pilings will be installed with a hydraulic hammer to a depth of -60 feet mean lower low water. The areal extent of fill from the fender pilings will increase from the existing 185 sq.ft. to 620 sq.ft. The new fenders are a mix of foam-filled, concrete-filled, and rubber energy-absorbing structures. The proposed project also includes other construction activities as may be required to repair Wharf 311 (e.g., repairs to concrete surfaces and reinforcing steel).

The demolition and construction work will be phased, with the first phase extending between September 16, 2005, and March 30, 2006, and the second phase between September 18, 2006, and March 30, 2007. Water quality best management practices will be implemented for all in-water and over-water work, including the use of jetting to extract the existing timber piles. Replacing the old timber piles with concrete pilings will improve water quality by removing a source of wood treatment contaminants. Silt curtains will be used to minimize and control turbidity during construction. For night-time work, the Navy will use diffused or shielded

lighting to minimize impacts to wildlife. While marine surveys in October 2004 detected no *Caulerpa* or eelgrass at or adjacent to the project site, a pre-construction survey will be conducted prior to each construction phase. No in-water construction will occur during the nesting season of the California least tern (April 1 through September 15) and the project should not cause any adverse effects to this species. The project would yield a net increase in fill of coastal waters of 435 sq.ft. due to the removal of 133 timber pilings and the installation of 155 concrete pilings. In past decisions on comparable piling replacement projects, the Commission has determined that absent a site-specific marine resource impact (e.g., effects on eelgrass beds), an increase in fill of this magnitude has not warranted imposition of mitigation measures. In addition, the net loss of 435 sq.ft. of deep water, soft bottom habitat will be compensated by a net increase of hard vertical surface available for colonization by marine organisms due to the increase in the number of pilings at the wharf.

In conclusion, the Commission staff **agrees** that the proposed fender demolition and construction activities at Wharf 311 at the Naval Weapons Station Seal Beach will not adversely affect coastal resources. We therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,



(fir)

PETER M. DOUGLAS
Executive Director

cc: South Coast District Office
California Department of Water Resources
Governor's Washington, D.C., Office

CALIFORNIA COASTAL COMMISSION

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May 20, 2005

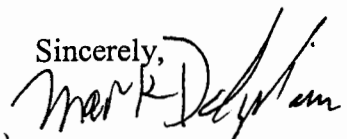
L. Lozano, Assistant Chief
Civil Engineering Division
U.S. Department of Homeland Security
U.S. Coast Guard
Attn: David Sox
Ronald V. Dellums Federal Bldg.
1301 Clay St., Ste. 700N
Oakland, CA 94612-5513

RE: **ND-068-05**, Negative Determination, Coast Guard, Vessel Traffic Service tower replacement and relocation, Point Bonita, Marin Headlands, Marin Co.

Dear Assistant Chief Lozano:

The Coastal Commission staff has reviewed the above-referenced Coast Guard negative determination for the replacement and relocation of the Point Bonita Vessel Traffic Service (VTS) communication tower in the Marin Headlands. The Coast Guard proposes a 120 ft. high tower to replace an existing 60 ft. high tower. The new tower location will be 120 ft. north of the existing tower. The project also includes a small electronics hut and emergency generator. The existing tower is deteriorating, posing risks of catastrophic consequences, as it is a vital communication link for San Francisco Bay shipping. The additional tower height is also critical to optimizing communications; if it were any lower, parts of the designated shipping channel would be outside its detection zone. The Coast Guard has analyzed the public access, visual, archaeological, and biological issues raised; access will be improved (two historic bunkers previously fenced off will become accessible); the visual effects will be virtually the same as the existing tower from any coastal zone viewpoint (the project site itself is on federal land); and with the surveying and avoidance measures incorporated, the biological and archaeological effects will be minimal. The Coast Guard has coordinated with GGNRA, the U.S. Fish and Wildlife Service, and SHPO. Best Management Practices will be included to protect water quality.

We agree with the Coast Guard that the project will not adversely affect any coastal zone resources, and we therefore **concur** with your negative determination made pursuant to Section 15 CFR 930.35 of the NOAA implementing regulations. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions.

Sincerely,

(for) PETER M. DOUGLAS
Executive Director

cc: North Central District Office
GGNRA (Brian O'Neill)

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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June 6, 2005

Jim McGrath
Port of Oakland
530 Water Street
Oakland, CA 90604-2064

Re: **NE-070-05**, No Effects Determination, Port of Oakland, disposal at SF-DODS of material dredged from Port of Oakland Berths 32/33

Dear Mr. McGrath:

The Coastal Commission staff has received the above-referenced "no effects" determination for ocean disposal of 116,000 cubic yards of material to be dredged for channel deepening at Berths 32/33 in Oakland Harbor. The disposal site is the EPA-approved deep ocean disposal site (SF-DODS), located approximately 50 miles west of San Francisco. The proposed dredging and disposal project is anticipated to commence later this week. As you are aware, the dredging aspect of the activity is within San Francisco Bay and does not involve Coastal Commission jurisdiction, but rather the jurisdiction of the San Francisco Bay Conservation and Development Commission. The project was only recently modified (based on unforeseen circumstances) to include an open ocean disposal component.

The Coastal Commission has determined in past federal consistency reviews¹ that transportation of material through the coastal zone to the site, and disposal at the SF-DODS site, could, if not properly conducted, affect the coastal zone. The key to avoiding these effects, according to these reviews, is continuation of adequate testing and monitoring provisions. The material was originally slated for aquatic disposal in the Bay. Consequently the Port has already tested the material, and the test results have been reviewed by the interagency Dredge Materials Management Office (DMMO) set up to review San Francisco Bay dredging activities, with test results showing the material proposed for disposal at SF-DODS is suitable for aquatic ocean disposal. Our primary concern for this project is not suitability for ocean disposal, but rather, given the high sand content, whether SF-8 disposal would be more suitable, given our historically held belief that sand placed at SF-8 nourishes Ocean Beach in San Francisco. As you are aware, the Coastal Act expresses the strong preference that "Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems." Moreover, SF-8 disposal would ordinarily be less costly for the Port, as the travel distance is far shorter. However, in the current situation the Port alleges time and

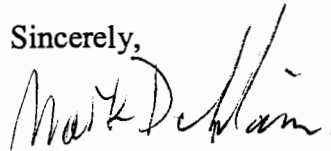
¹ EPA site designation Consistency Determination for SF-DODS - CD-36-94, Navy Negative Determination ND-105-92, Army Corps Negative Determinations ND-82-94, ND-99-95, ND-105-00, and ND-43-01, for the Ports of Oakland and Richmond, and Port of Oakland No Effects Determination NE-97-96.

logistical constraints that inhibit SF-8 disposal for Berth 32/33 material. Limited capacity for SF-8 to receive large quantities of dredge material may also present logistical constraints. At the same time the Port will analyze nearby berth dredging activities that do not raise the same logistical constraints and has agreed to seriously consider the potential for disposal at SF-8 for these activities, including up to 380,000 cu. yds. of material from the remainder of the Oakland Harbor Navigation Improvement (-50 ft.) Project. Given SF-8's capacity limits, the Port may well be able (and in fact have an economic incentive) to place the maximum amount of suitable material at SF-8, even without the input from the subject 116,000 cu. yds. from Berths 32/33.

In conclusion, when the Commission concurred in April 1994 with EPA's consistency determination for the designation of the deep water ocean dredged material disposal site (SF-DODS), the Commission determined that disposal at the site would not affect the coastal zone, assuming that dredging would not be authorized unless: (1) an adequate monitoring program remains in place; and (2) the test establishes that the material is suitable for aquatic disposal. Both these tests are met for the proposed 116,000 cu. yds. of dredged material. Thus, with the factors discussed above, we agree with the Port of Oakland's assertion that the proposed dredging and disposal at SF-DODS would not affect the coastal zone. We further agree that SF-8 is not feasible for the activity to commence later this week, as long as this agreement is coupled with the understanding that SF-8 will be considered where appropriate for future Port dredging proposals.

We therefore concur with your "no effects" determination. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions.

Sincerely,



(for)

PETER M. DOUGLAS
Executive Director

cc: North Central Coast Area Office
EPA
U.S. Army Corps of Engineers
BCDC
RWQCB, S.F. Bay Region

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June 8, 2005

Ruth Villalobos
Chief, Planning Division
U.S. Army Corps of Engineers
ATTN: Randy Tabije
P.O. Box 532711
Los Angeles, CA 90053-2325

Subject: Negative Determination ND-073-05, Los Angeles River Estuary dredging and materials separation technology test, Long Beach

Dear Ms. Villalobos:

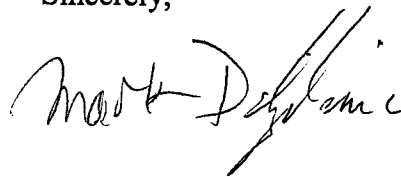
The Coastal Commission staff has reviewed the above-referenced negative determination. The Corps proposes to dredge between 650 and 1,300 cu.yds. of sediment from a segment of navigation channel located at the mouth of the Los Angeles River in the City of Long Beach, and use these sediments to evaluate potential contaminated sediment separation and remediation technologies. The Commission's Executive Director concurred with a negative determination (ND-032-05) for sidecast dredging of 26,000 cu.yds. of shoaled material at this location (including the subject sediments) on March 18, 2005 (ND-032-05). The Corps now proposes to dredge the up to 1,300 cu.yds. of sediment, place the material on a barge, conduct a series of experiments using hydro cyclones and shaker tables to separate sand from fine-grained materials, and attempt to produce clean sand for use as beach nourishment materials. Tests will be conducted to evaluate production rates, maintenance requirements, water quality, and operation costs. The resulting fine-grained material will be placed at the Port of Los Angeles' Anchorage Road Temporary Holding Facility, and any clean sand obtained will be used by the City of Long Beach for beach nourishment. The dredging and testing will occur over five days in mid-June 2005.

As noted in ND-032-05, the sediments proposed for dredging were tested for physical, chemical, and biological suitability for unconfined ocean disposal. The sediments are predominately sand (93% by dry weight). Sediment chemistry test results indicate minor contamination from several chemical constituents attached to fine sediments, and the bioassay test results indicate an unidentified source of contamination adversely affecting the tested marine species. However, given the small volume of materials to be dredged over five days, this action will not result in significant adverse effects to water quality or marine resources at and adjacent to the dredging site. In addition, water quality monitoring will indicate if turbidity controls are required to reduce any unexpected adverse effects from the project. While dredging will occur during the California least tern nesting season, the dredge area is three miles from the closest nesting site

and the temporary nature and limited area of the project will not adversely affect least tern foraging activities at the mouth of the Los Angeles River.

In conclusion, the Commission staff **agrees** that the proposed dredging and materials separation technology tests will not adversely affect coastal resources, and should provide the Corps and other interested agencies with useful information on new methods to manage the treatment and disposal of contaminated sediments. We therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,



(LAD)

PETER M. DOUGLAS
Executive Director

cc: South Coast District Office
California Department of Water Resources
Governor's Washington, D.C., Office
Brian Ross, EPA
Bob Hoffman, NOAA Fisheries
Jack Fancher, USFWS
Ralph Appy, POLA
Tom Johnson, POLB
Mitzi Taggart, HTB

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June 14, 2005

Jim McGrath
Port of Oakland
530 Water Street
Oakland, CA 90604-2064

Re: **NE-075-05**, No Effects Determination, Port of Oakland, disposal at SF-8 and SF-DODS of material dredged from Port of Oakland Berths 22-26, 30, and 67-68

Dear Mr. McGrath:

The Coastal Commission staff has received the above-referenced "no effects" determination for ocean disposal of approximately 292,000 cubic yards of material to be dredged for channel deepening at Berths 22-26, 30, and 67-68 in Oakland Harbor. The disposal site is the EPA-approved deep ocean disposal site SF-DODS or SF-8, depending on logistics and sand content. The SF-DODS site is located approximately 50 miles west of San Francisco; the SF-8 site approximately 3 miles west of San Francisco. The dredging aspect of the activity is within San Francisco Bay and does not involve Coastal Commission jurisdiction, but rather the jurisdiction of the San Francisco Bay Conservation and Development Commission. The project was only recently modified (based on unforeseen circumstances) to include an open ocean disposal component.

As we noted in our recent concurrence with Berths 32/33 dredging disposal (NE-070-05):

(1) the Commission has determined in past federal consistency reviews¹ that transportation of material through the coastal zone to the site, and disposal at the SF-DODS site, could, if not properly conducted, affect the coastal zone;

(2) the key to avoiding these effects, according to these past reviews, is continuation of adequate testing and monitoring provisions;

(3) the material was originally slated for aquatic disposal in the Bay. Consequently the Port has already tested the material, and the test results have been reviewed by the interagency Dredge Materials Management Office (DMMO) set up to review San Francisco Bay dredging activities, with test results showing the material proposed for disposal at SF-DODS is suitable for aquatic ocean disposal;

(4) our primary concern for this project is not suitability for ocean disposal, but rather, given the high sand content of some portions of the material, whether SF-8 disposal would be more suitable, given our historically held belief that sand placed at SF-8 nourishes Ocean Beach in San Francisco;

¹ EPA site designation Consistency Determination for SF-DODS - CD-36-94, Navy Negative Determination ND-105-92, Army Corps Negative Determinations ND-82-94, ND-99-95, ND-105-00, and ND-43-01, for the Ports of Oakland and Richmond, and Port of Oakland No Effects Determination NE-97-96.

(5) the Coastal Act expresses the strong preference that "Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems," and SF-8 disposal would ordinarily be less costly for the Port, as the travel distance is far shorter;

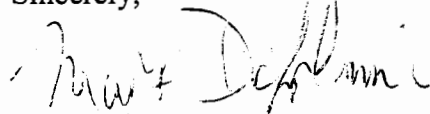
(6) limited capacity for SF-8 to receive large quantities of dredge material may present logistical constraints; and

(7) the Port agreed to analyze the remainder of the Oakland Harbor Navigation Improvement (-50 ft.) Project and to consider the potential for disposal at SF-8 of appropriate material.

Approximately 211,000 cubic yards of material from Berths 22-26 and 30 are free of contaminants and greater than 90 percent sand, and thus suitable for placement at SF-8. However, the approximately 80,100 cubic yards of material from Berths 67-68 average only 46 percent sand; this material is not suitable for placement at SF-8 (but is suitable for disposal at SF-DODS). As conditioned by EPA (copy attached): (a) the appropriate mechanisms are in place to assure non-sandy (but nevertheless clean) material will not be disposed at SF-8 but will be taken to SF-DODS; (b) the flexibility and incentives are in place to assure that suitable sandy material will be placed at SF-8; and (c) all disposal will be monitored and reported to assure proper disposal.

In conclusion, the Commission agrees with the Port that Oakland's assertion that the proposed dredging and disposal at SF-DODS and SF-8, as outlined in the attached EPA permit conditions, would not adversely affect the coastal zone. We therefore concur with your "no effects" determination. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions.

Sincerely,



PETER M. DOUGLAS
Executive Director

Attachment

cc: North Central Coast Area Office
EPA
U.S. Army Corps of Engineers
BCDC
RWQCB, S.F. Bay Region

Attachment

June 15, 2005

**Attachment to EPA Ocean Disposal concurrence for
Port of Oakland Berth 22-26, 30, and 67-68 sediments**

For enhanced clarity and understanding, the following updated Special Conditions combine and re-number many of the previously-published special conditions for SF-DODS. Note that the substantive provisions of EPA's 1999 rule (64 FR 141, pages 39927-39934), and EPA's most recent SMMP Implementation Manual for SF-DODS must be incorporated by reference as part of the project authorization/contract, except as the following specific provisions update them.

Generic Ocean Disposal Special Conditions for use of the San Francisco Deep Ocean Disposal Site (SF-DODS)

(Update, includes modifications to Conditions 7, 11, and 12)

1. Dredged material shall not be leaked or spilled from disposal vessels during transit to the SF-DODS. Transportation of dredged material to the SF-DODS shall only be allowed when weather and sea state conditions will not interfere with safe transportation and will not create risk of spillage, leak or other loss of dredged material in transit to the SF-DODS. No disposal vessel trips shall be initiated when the National Weather Service has issued a gale warning for local waters during the time period necessary to complete dumping operations, or when wave heights are 16 feet or greater. The permittee must consult the most current version of the SMMP Implementation Manual for additional restrictions and/or clarifications regarding other sea state parameters, including but not limited to wave period.
2. Vessels used for dredged material transportation and disposal must not be loaded beyond a level at which dredged material would be expected to be spilled in transit under anticipated sea state conditions, and in no case may disposal vessels be filled to more than 80 percent of the vessel's maximum bin or hopper volume. Before any disposal vessel departs for the SF-DODS, an independent quality control inspector ("*Independent*" means not a direct employee of the permittee or dredging contractor) must certify in writing that the vessel is not over-loaded, and otherwise meets the conditions and requirements of a Scow Certification Checklist that contains all of the substantive elements found in the example contained in the most current SMMP Implementation Manual. EPA and USACE must approve the permittees' proposed Scow Certification Checklist prior to the commencement of ocean disposal operations. No ocean disposal trip may be initiated until both the vessel captain and the independent inspector have signed all relevant entries on the Scow Certification Checklist.
3. Disposal vessels in transit to and from the SF-DODS must remain at least three nautical miles from the Farallon Islands whenever possible. Closer approaches

should occur only where the designated vessel traffic lane enters the 3-mile limit. In no case should disposal vessels leave the designated vessel traffic lane within the 3-mile limit, or transit north of a line extending westward from the termination of the designated vessel traffic lane while within the 3-mile limit.

4. Surface Disposal Zone: When dredged material is discharged within the SF-DODS, no portion of the vessel from which the materials are to be released (e.g. hopper dredge or towed barge) may be further than 1,960 feet (600 meters) from the center of the disposal site at latitude 37°39'N; longitude 123°29'W.
5. No more than one disposal vessel may be present within the SF-DODS Surface Disposal Zone at any time.
6. The primary tracking system for recording ocean disposal operations shall be disposal vessel- (e.g., scow-) based. Disposal vessels shall use an appropriate Global Positioning System (satellite) tracking system capable of indicating and recording the position of the disposal vessel with a minimum accuracy of $\nabla 10$ feet during all transportation and disposal operations. The primary disposal tracking system must indicate and record the position and draft of the disposal vessel throughout transit to the disposal site, during dumping, and for at least one-half hour after disposal is complete, as well as indicate and record the time and location of the beginning and end of each disposal event (e.g., the opening and closing of the hull doors of the disposal vessel). This primary disposal tracking system must indicate and automatically record both the position and the draft of the disposal vessel at a maximum 5-minute interval while outside the SF-DODS disposal site boundary, and at a maximum 15-second interval while inside the SF-DODS disposal site boundary.
7. Data recorded from the primary disposal tracking system must be posted by a third party contractor on a near-real time basis to a World Wide Web (Internet) site accessible by EPA Region 9, the San Francisco District USACE, and NOAA's Gulf of the Farallones National Marine Sanctuary. The Web site must be searchable by disposal trip number and date, and at a minimum for each disposal trip it must provide a visual display of: the disposal vessel transit route to SF-DODS; the beginning and ending locations of the disposal event; and the disposal vessel draft throughout the transit. The requirement for posting this information on the Web is independent from the hard-copy reporting requirements listed in Special Condition 9, below. The third-party system must also generate and distribute "e-mail alerts" regarding any degree of apparent dumping outside the Surface Disposal Zone of SF-DODS, and regarding any apparent substantial leakage/spillage or other loss of material en route to SF-DODS. Substantial leakage/spillage or other loss shall be defined as an apparent loss of draft of one foot or more between the time that the disposal vessel begins the trip to SF-DODS and the time of actual disposal. E-mail alerts for any disposal trip must be sent within 24 hours of the end of that trip, to EPA Region 9, the San Francisco District USACE, the relevant National Marine Sanctuary in the event the event triggering the alert occurred within a Sanctuary boundary, and to other addressees as may be indicated by EPA or USACE on a project-specific basis.

8. A functioning back-up navigation system, meeting the minimum accuracy requirement listed above, must also be in place on the towing vessel (tug, if any). If the primary (disposal vessel's) navigation tracking system fails during transit, the disposal trip may continue only so long as the back-up (towing vessel's) navigation and tracking system remains operational, by placing the towing vessel in such a location that, given the compass heading and tow cable length to the scow ("lay back"), the estimated scow position would be within the surface disposal zone [i.e., within 1,960 feet (600 meters) of the center of the disposal site]. In such cases the towing vessel's position, and the tow cable length and compass heading to the disposal vessel, must be recorded and reported. Further disposal operations using a disposal vessel whose navigation tracking system fails must cease until those primary capabilities are restored.
9. In addition to the requirement in Special Condition 7, above, for posting data on the Web, the permittee shall maintain daily records (using the approved Scow Certification Checklist) of: the amount of material dredged and loaded into barges for disposal; the location from which the material in each barge was dredged; the weather report for and sea-state conditions anticipated during the transit period; the time that each disposal vessel departs for, arrives at and returns from the SF-DODS; the exact location and time of each disposal; and the volume of material disposed at the SF-DODS during each disposal trip. The permittee shall also maintain, for each ocean disposal trip, both electronic data and printouts from the GPS-based primary disposal tracking system (or the backup navigation tracking system when appropriate) showing transit routes, disposal vessel draft readings, disposal coordinates, and the time and position of the disposal vessel when dumping was commenced and completed. These daily records shall be compiled at a minimum for each month during which ocean disposal operations occur, and provided in reports, certified accurate by the independent quality control inspector, to both EPA and USACE. For each ocean disposal trip, these reports shall include the electronic tracking and disposal vessel draft data on CD-ROM (or other media approved by EPA and USACE), as well as hard copy reproductions of the Scow Certification Checklists and printouts listed above. The reports shall include a cover letter describing any problems complying with the Ocean Disposal Special Conditions, the cause(s) of the problems, any steps taken to rectify the problems, and whether the problems occurred on subsequent disposal trips.
10. An independent quality control inspector ("*Independent*" means not a direct employee of the permittee or dredging contractor) shall observe all dredging operations, and inspect each disposal vessel prior to its departure for SF-DODS. The inspector shall certify (along with the disposal vessel captain) whether the specifications on the approved Scow Certification Checklist have been met. The inspector shall promptly inform the permittee whether there are any inaccuracies or discrepancies concerning this information, and shall provide a summary for the calendar month in a report to EPA and USACE by the 15th day of the following month.

