

Instructions for Preparing the
Consolidated Dredging-Dredged Material Reuse/Disposal Application

[Rev 1/03]

An inter-agency Dredge Material Management Office (DMMO) has been established to simplify the dredging approval process in the San Francisco Bay region. The Consolidated Dredging-Dredge Material Reuse/Disposal Application is part of this process and is the only application that you need to complete for most proposed dredging projects in the San Francisco Bay area. The application is accepted for Section 404 or Section 10 dredging authorization by the San Francisco District of the Corps of Engineers, for an administrative San Francisco Bay Conservation and Development Commission dredging authorization, the application shall serve as, and be functionally equivalent to, a California Regional Water Quality Control Board, Report of Waste Discharge, pursuant to Sections 13260, 13374 and 13377 of Article 4, Chapter 4 of the Porter-Cologne Water Quality Control Act and for dredging project leases from the California State Lands Commission.

These instructions are intended to assist you in the preparation of the Consolidated Dredging Application. The application form is divided into four sections. **Section I** covers the general information that is needed for all applications, **Section II** covers the specific details of the proposed dredging project, **Section III** covers the proposed dredge disposal site, and **Section IV** covers other required information.

These instructions also provide guidance on the types and format of drawings and other information that must accompany the completed application.

SECTION I

Box 1. Applicant Information: Enter the name of the responsible party or parties. If more than one party is associated with the application, please attach a sheet providing the same information for co-applicants (marked Box 1).

If the applicant is a partnership, corporation, government agency or other association, evidence must be provided to ensure that the person who signs the application is empowered to represent and make commitments on behalf of the organization submitting the application. To accomplish this, such applications must include either a resolution authorizing the person who signs the application to represent and bind the applicant or bylaws that establish that the person who signs the application holds a position that is empowered to act on behalf of the legal entity. Corporate resolutions must be from the corporation's board of directors. Public agency resolutions must be from the city council, board of supervisors or similar highest policy body, which governs the organization. Space is provided to describe the nature of the empowerment if necessary.

Box 2. Representative Information: Sometimes an applicant, owner or co-applicant is represented by another person who handles the details of securing the required approvals for the project. If this is the case, indicate the name of the individual or agency, designated to be the representative for the project. An agent can be an attorney, builder, contractor, consultant or any other person or organization. Note: An agent is not required. If the applicant, owner or co-applicant is represented by someone else, the applicant must complete and sign the authorization portion of Box 2. If a representative is authorized, please indicate who should receive correspondence regarding the application.

SECTION II

Box 3. Dredging Project: all applicants must complete this section.

Project Name and Title - Please provide name identifying the proposed project.

Type of Dredging Project - Please place a check in the box indicating whether the project is maintenance dredging or a new work dredging project and also indicate in the appropriate box

whether the project is a single episode or multi-episode (year) project. **[Note: new work projects involving over 100,000 cubic yards in five years or any disposal project requesting authorization for more than a five year time period, cannot be processed administratively by the San Francisco Bay Conservation and Development Commission (BCDC) and should not be applied for using this consolidated form. A standard BCDC application is required.]**

Project Description - Briefly describe the overall activity or project. If additional space is needed use a continuation sheet marked Box 4.

Project Need and/or Purpose - Provide a brief description of the major purposes that the project will serve or the needs that will be met through accomplishment of the project (e.g. deepening a navigational channel, extracting sand, constructing a marina, etc.). Use continuation sheet marked Box 4, if necessary.

Date work is proposed to begin and be completed - Based on an estimate of how long it will take to get all the necessary approvals, financing, and other preliminary work, indicate the month and year when the work to be authorized is proposed to begin. In addition, based on a realistic construction schedule indicate the month and year when the work is proposed to be completed. Alternatively, indicate the total length of time desired for proposed permit (contact the agencies individually [see page 8] to discuss length-of-permit issues).

Estimated total project cost - Provide an estimate of the cost of the complete dredging and disposal project being proposed.

Project Location - Please provide the name of the county where the dredging project is located and the city nearest the project. Provide the latitude(s) and longitude(s) of the dredging site and identify the waterway in which it is located (e.g. San Pablo Bay, Petaluma River, etc.).

Type of dredging equipment - Describe the type of equipment to be used to accomplish the dredging (e.g. clamshell, hydraulic, barge size, etc.). If the project will involve the construction of temporary or permanent structures or utilize other than normal dredging equipment please indicate and describe.

Depth of dredging - Provide the existing and proposed design depths, over/depth tolerance and total depth of dredging for the project in terms of Mean Lower Low Water (MLLW) datum.

Total volume - Please provide an estimate of the total volume of material to be dredged in cubic yards.

Area of dredging site - Provide an estimate of the total acreage of the dredging site.

Type of substrate - Please check the appropriate box if sub-tidal bottom (normal S.F. Bay bottom), mudflats or wetlands are involved and provide a brief description of any other types of substrate (bottom) areas being dredged.

Suisun Marsh - If the dredging site is located within the Suisun Marsh protection zone please indicate and be sure to complete Box 7 of the application. If you are unsure, contact the San Francisco Bay Conservation and Development Commission.

Previous authorizations - Please provide the identification number of any previous authorizations for this dredging activity and the issuing agency. It is often possible to amend an existing approval rather than process a new application and it is helpful to agency analysts to refer to previous approvals.

SECTION III

Box 4. Directions: The purpose of this box, all questions of which must be completed by all applicants, is to serve as a guide that determines what disposal site elements of the application form must be completed for your project. Each of the three questions needs a "Yes" or "No" answer. There may be "Yes" answers to more than one of the questions and the question directs the box to be completed for a "Yes" answer. If a question is answered "No" the box shown as related to that question may be skipped.

Box 5. Aquatic Disposal: Only four sites are currently authorized for unconfined aquatic disposal in the San Francisco Bay region: S.F. - 9 (Carquinez Strait); S.F. - 10 (San Pablo Bay); S.F. - 11 (Alcatraz) and S.F. - DODS (Deep Ocean Disposal Site). If one of these disposal sites is proposed to be used for the project mark that box. **[Note: any dredging project that proposes a change in a previously authorized material disposal environment, must submit a complete DMMO application prior to SAP approval.]** If you are uncertain about the location or limitations on the use of any of these sites contact the Dredge Material Management Office. If the project proposes any form of aquatic disposal other than the use of these designated sites please provide a complete description of the proposed site and method of disposal, use a continuation sheet marked Box 6 if necessary. **[Note: it is likely that separate authorization will be necessary to use such sites and that individual applications to the regulatory agencies for such authorization will be required.]**

Box 6. Proposed Upland, Wetland or Reuse Disposal Site Information: This box is to be completed if the disposal of dredged material is proposed for other than aquatic disposal.

Site Name - Please provide the name of the proposed disposal site.

Site Description - Provide a brief description of the existing condition of the proposed disposal site, including the present elevations, current vegetation, existing structures and use of the site. Use a continuation sheet marked Box 6, if more space is needed.

Site Address - Provide the most accurate address possible for the disposal site including a street address if one exists. Please provide latitude(s) and longitude(s) for the site and the current zoning designation. If the zoning is not known, it can usually be obtained from the county or city planning office.

Owner's Name and Address - Please provide the name and address of the owner of the property on which the proposed disposal site is located.

Jurisdictional Wetlands - Please indicate by marking the appropriate box, whether the disposal will affect any delineated jurisdictional wetlands. If the disposal is proposed at an approved wetlands project site, give the name and authorization number of the site. **[Note: separate authorization involving individual applications to the regulatory agencies will be required for the dredging project if the wetland disposal site is not already authorized.]**

Existing disposal site: - Indicate if the proposed disposal site is an existing, established disposal site that regularly (or periodically) receives dredged material.

Site last used - If the proposed disposal site has been used previously for the disposal of dredged material, please give the year of the most recent disposal episode.

Disposal site income - If income is produced from the disposal or sale of dredged material at the proposed site, please indicate and provide an estimate of actual or projected annual income. If the annual income is projected show the basis of that projection (e.g. per cubic yard, etc.)

Anticipated volume - Provide an estimate of the total in place volume of the dredged material to be placed at the disposal site by the proposed project.

Type of disposal equipment - Describe the type of equipment to be used to accomplish the disposal. If the project will involve the construction of temporary or permanent structures (e.g.: levees) or utilize other than normal disposal equipment please indicate and briefly describe.

Public access/recreational facilities - Please check if the disposal project will affect existing public access or public recreational facilities. If yes, describe how the project proposes to mitigate those impacts.

Box 7. Suisun Marsh Development Information: Several items are unique to dredging activities that occur with the Suisun Marsh Protection Zone. In this box provide the requested information on local marsh development permits and duck club numbers. Be sure to check "None" if it applies. If your project occurs in the Suisun Marsh area and you are unsure whether it

is consistent with the individual management plan for the property, you are advised to consult with the San Francisco Bay Conservation and Development Commission.

SECTION IV

Box 8. Environmental Approvals: The California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) require that the environmental impacts of a proposed project be addressed before any authorization. The purpose of this box is to learn the status of the required environmental approvals.

[Note: (1) a copy of the project's environmental documentation should be included with the application submittal; (2) an application may not be filed as complete until environmental compliance is assured.]

(a) EIR or EIS - If an Environmental Impact Report (EIR - CEQA) or an Environmental Impact Statement (EIS - NEPA) related to dredging in this location has ever been prepared please indicate on the form.

(b) Categorically Exempt - Normally maintenance dredging is found to be categorically exempt from CEQA requirements. If the project is for maintenance dredging and is known to be covered by the exemption please check "Yes" in the appropriate location on the form and attach documentation from the lead agency.

(c) Environmental Assessment (EA) - If the site has been dredged previously and a NEPA EA prepared, please indicate on the form and provide a copy.

(d) EIR Preparation - If no environmental document has been completed, but it is known that an EIR will be prepared to respond to CEQA please note by checking "Yes" and providing the information requested in question (f) of Box 8.

(e) Negative Declaration - In some instances a Negative Declaration or a finding of no significant impacts is sufficient to respond to CEQA. If a Negative Declaration has been prepared for the proposed project check "Yes" and include a copy. If one is under preparation please complete question (f) in Box 8.

(f) Preparer - Generally, a local government is the "lead agency" under CEQA and completes the environmental requirements for projects under its jurisdiction. If CEQA environmental documents are under preparation, please indicate the entity that is preparing them and provide an estimated date of completion.

(g) Copies - As noted above, please provide copies of the project's environmental documentation.

Box 9. Other Approvals: Other state and local approvals may be required for a dredging project. Please provide verification of contacts with other agencies to determine if other approvals are (are not) required.

CA Department of Fish and Game - The California Department of Fish and Game (DFG), under the Fish and Game Code, Sections 1601 and 1603, regulates changes made to the bed, channel or banks of streams or rivers. Dredging proposals within the greater San Francisco Bay area that occur on the periphery of the tidally-influenced Bay, but which also are within well defined rivers and streams are subject to these mutual agreements (commonly called Streambed Alteration Agreements) between DFG and the project applicant. The jurisdictional boundaries for areas needing such agreements are defined by DFG. If you are unsure if your project is subject to the need for a 1601 or 1603 agreement you are advised to consult with DFG to determine if the project and/or disposal site falls within their jurisdiction.

Local Government Approvals - If local approvals are required they should be listed on the form. Indicate the name of the approving agency and the type of discretionary approval that is required. Also provide the date of approval and a local contact person and phone number. Note that some

state agencies require the issuance of all required local approvals prior to initiating action on permit applications. Early consultation with agencies is recommended.

Box 10. Disclosure of Campaign Contributions: Any campaign contributions in excess of \$250 to officials (including commission members) of the regulatory agencies using this consolidated form must be disclosed. If no contributions have been made please indicate by checking the box.

Box 11. Adjoining Property Owners: List complete names and full mailing addresses of the adjacent property owners (public and private) lessees, etc., whose property adjoins the dredging and disposal sites so that they may be notified of the proposed activity (usually by public notice). Adjoining owner information is not required for use of the designated disposal sites. Use a continuation sheet if necessary.

Box 12. Checklist of Additional Information to be Submitted: This box identifies other information that is required before your dredging application can be accepted as complete and processing of the application initiated. Please indicate by checking in the appropriate box if the material indicated is complete and attached to the application package. If the material is not complete please indicate the expected submission date on the application form. **[Note: See directions for Drawings, Submittals, Application and Processing Fees at the end of these instructions.]**

Sampling & Analysis Plan (SAP) - You are required to develop a biological or chemical testing plan in accordance with the protocol in the Corps and EPA (Environmental Protection Agency) publication "Evaluation of Dredged Material Proposed for Discharge in Waters of the U.S. – Testing Manual; Inland Testing Manual" (Inland Testing Manual or ITM) (February 1998) or appropriate ocean testing protocol. You should initiate consultation with the DMMO as early as possible in the planning of your dredging project to develop an acceptable sampling and analysis plan. A hydrographic survey of the dredging site, conducted within the preceding 90 days is necessary to initiate the development of the SAP. The area to be dredged must be clearly delineated on the survey.

Testing Data - When the sampling conducted in accordance with the SAP is complete, preparation and submission of the testing data is required for your consolidated dredging permit application package to be accepted as complete. To be considered valid, the testing of a proposed dredge site must have occurred within one year of the date of submittal of the application.

Calculations - Provide one copy of the computations used for the determination of the quantities to be dredged.

Organizational Documentation - See instructions for Box 1.

Environmental Documentation - See instructions for Box 8.

Drawings and Maps - See special instructions.

Proof of Legal Interest - It is necessary for the applicant or the land owner to have adequate legal interest in the underlying property to carry out the project and comply with any conditions that may be part of approval. This legal interest must be either through fee interest, an easement, a leasehold, an option or eminent domain. Proof of legal interest is needed for the dredging site and disposal sites, if disposal is proposed at other than the designated aquatic sites. To demonstrate legal interest, it is necessary to submit a property map and a recently issued title report or grant deed, including a metes and bounds description, or other information of similar accuracy and reliability to show that the applicant holds legal interest in the project site.

Statement of Consistency - Please provide a brief explanation of your project's consistency with the policies regarding dredging and disposal in the San Francisco Bay Area. To do this, describe if upland disposal alternatives were considered and if aquatic disposal is proposed, explain how

the project relates to limiting disposal site quantities and timing for aquatic resource protection. Also, use this opportunity to explain how your project complies with the BCDC Bay Plan.

Box 13. Certification of Accuracy of Information: This box which certifies the accuracy of the information provided in the application form, must be signed by every applicant or their representatives who have been legally authorized to act on behalf of the applicant. The signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.).

DIRECTIONS FOR DRAWINGS, SUBMITTALS, APPLICATION AND PROCESSING FEES

Drawings and Maps - General instructions are provided for the drawings and maps to support a dredging permit application. Additional detail regarding this subject can be found in the Application Information Booklet (EP 1145-2-1) available from the Corps of Engineers and the General Application Instructions available from the San Francisco Bay Planning and Development Commission.

Three types of illustration are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a **Vicinity Map**, a **Plan View** and a **Typical Cross Section**. Identify each illustration with a figure number.

Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view or cross-section). Each illustration should also have at least a one-half inch margin on each side, a north arrow, vertical and horizontal scales shown, datum given and be dated.

Both the area to be dredged and the disposal area should be identified and shown on the illustrations. The illustrations should also show testing locations, depths of dredging, and the locations of any adjacent structures (piers, wharves, etc.).

All illustrations should be legible and on good quality 8 1/2 x 11 inch plain white paper (tracing paper or film may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations. **[Note: While illustrations need not be professional, they should be clear, accurate and contain all necessary information.]**

Submittal - If desired, one copy of the completed application form, drawings and testing data may be submitted directly to each of the DMMO participating agencies whose contact names and addresses are provided in these instructions (all other checklist documents are only required to be submitted to BCDC and the Corps) or alternately, six copies of the completed application form, drawings and testing data (and two copies of the supplemental documents) may be submitted to the attention of the Regulatory Dredging Project Manager, Regulatory Branch, San Francisco District, Corps of Engineers, 333 Market Street, San Francisco, CA 94105-2197.

Application and Processing Fees - Each of the regulatory agencies participating in the DMMO and accepting the Consolidated Dredge Application has their own unique fee structure and should be provided directly to that agency.

The Corps of Engineers does not require the submittal of a fee with the application. At the time of issuance the Corps requires a fee of \$10 for a private party, \$100 for a commercial project and no fee for a public agency project.

The fee schedule for the San Francisco Bay Conservation and Development Commission is attached.

The fee schedule for the CA Regional Water Quality Control Board is attached. The Regional Board's upland disposal annual fee is decided on a case by case basis according to a fee schedule based on the "threat to water quality and complexity". Currently these fees range from \$500 to \$10,000 per year.

The California State Lands Commission requires submittal of an \$825 reimbursable agreement for staff time involved in processing dredging project leases.

BCDC Notice of Application Form - The applicant must complete the attached BCDC Notice of Application and place it in a prominent location at or near the project site so that it will be visible to members of the public. The applicant must then complete and sign the attached Certification of Posting form and return it directly to BCDC at the address shown.