



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

Lindsay A. Marks

MAY
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of Harbor Commissioners
Crescent City Harbor District

OFFICE
OF

Dear Ms. Marks:

Thank you for your March 29, 2000, letter following up on your recent visit to Washington, D.C., with the California Marine Affairs and Navigation Conference (CMANC). Specifically, you raised concerns over limitations on the beneficial use of dredged material for beach nourishment projects where the grain size of the material is not almost entirely sand. We have discussed this issue with appropriate personnel in EPA Region IX in San Francisco and the Corps of Engineers - San Francisco District and Headquarters. It is our understanding that the Corps San Francisco District is in the process of drafting a response to your letter dated March 16 to Colonel Grass. The National Dredging Team also discussed the grain size issue during its most recent meeting. Our conclusion confirms that the grain size ratio often applied to beach nourishment projects is a "rule of thumb" approach only, that the Clean Water Act regulations do allow for site specific determinations of appropriate grain size ratios, and that the agencies are supportive of site specific evaluations, such as that which Santa Cruz Harbor is undertaking.

EPA encourages your Harbor District to continue efforts to work with the EPA Region IX and Corps San Francisco District to seek disposal alternatives and to provide more information regarding the feasibility of using dredged material for beach nourishment. While EPA encourages beneficial use projects, such projects must prove to be environmentally protective and to comply **with** the Clean Water Act Section 404(b)(1) Guidelines. In addition, the Inland Testing Manual also emphasizes physical compatibility for beach nourishment. The "80% rule of thumb" is often the basis of EPA and Corps regulatory decisions in the absence of site-specific information to show that finer sediments may be suitable. However, case-specific flexibility can be applied to grain size considerations for beach nourishment projects. In order to make case specific determinations, appropriate supporting information is needed to evaluate a given beach nourishment project. An example of such site-specific information is that which is being generated for Santa Cruz Harbor.

Both the Region and Headquarters support the general approach of Santa Cruz Harbor as they continue to advance a reasonable conceptual framework for beach nourishment using dredged material. The Harbor's evaluation framework efforts **will** provide information that could be used as a basis for documenting whether a higher percentage of fines may be discharged for beach nourishment without significant adverse impacts to the marine environment. In turn, such *site-specific* information can be useful for the Clean Water Act Section 404(b)(1) evaluation. We encourage your Harbor District to adopt a similar approach.

In that regard, we look forward to our May 12th briefing of the National Dredging Team by Patrick McLaren, author of the Santa Cruz Sediment Trends Analysis study, to discuss the findings of his report.

We will continue to work further with you in this effort and look forward to next month's meeting. Should you have further questions, *please* contact Brian Ross of Region IX, (415) 744-1979.

Sincerely,



Goodin

Chief, Wetlands and Aquatic Resources Regulatory
Branch