



# PUBLIC NOTICE

**U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT**

**BUILDING STRONG®**

## APPLICATION FOR RENEWAL OF REGIONAL GENERAL PERMIT No. 28

**Public Notice/Application No.:** SPL-2013-00475-JWM

**Project:** Regional General Permit No. 28 Renewal: Routine Maintenance, Port of Long Beach

**Comment Period:** August 9, 2013 through September 9, 2013

**Project Manager:** John Markham; 805-585-2150; [John.W.Markham@usace.army.mil](mailto:John.W.Markham@usace.army.mil)

---

### **Applicant**

Richard Cameron  
Port of Long Beach  
925 Harbor Plaza  
Long Beach, California 90802

### **Contact**

Janna Watanabe  
Port of Long Beach  
925 Harbor Plaza  
Long Beach, CA 90802  
[Watanabe@polb.com](mailto:Watanabe@polb.com)

### **Location**

The Port of Long Beach in Long Beach, Los Angeles County, California (see attached map).

### **Activity**

The applicant requests reauthorization of their regional general permit (SPL-2008-00950-TS, Regional General Permit No. 28) for routine maintenance dredging and disposal, and routine maintenance of in-water structures and facilities ("proposed program"), set to expire on March 31, 2014. For more information see page 3 of this notice.

---

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). We invite you to review today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that support the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision. This permit will be issued, issued with special conditions, or denied under the Rivers and Harbors Act of March 3, 1899 (33 U.S. C. 403), Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 (33 U.S. C. 1413), and the Clean Water Act of 1972 (33 U.S.C. 1344).

Comments should be mailed to:

U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Division  
Ventura Field Office  
Attention: John Markham  
2151 Alessandro Drive, Suite 110  
Ventura, California 93001

Alternatively, comments can be sent electronically to: [John.W.Markham@usace.army.mil](mailto:John.W.Markham@usace.army.mil)

The mission of the U.S. Army Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands. The Regulatory Program in the Los Angeles District is executed to protect aquatic resources by developing and implementing short- and long-term initiatives to improve regulatory products, processes, program transparency, and customer feedback considering current staffing levels and historical funding trends.

Corps permits are necessary for any work, including construction and dredging, in the Nation's navigable water and their tributary waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects, and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.

During the permit process, the Corps considers the views of other Federal, state and local agencies, interest groups, and the general public. The results of this careful public interest review are fair and equitable decisions that allow reasonable use of private property, infrastructure development, and growth of the economy, while offsetting the authorized impacts to the waters of the United States. The permit review process serves to first avoid and then minimize adverse effects of projects on aquatic resources to the maximum practicable extent. Any remaining unavoidable adverse impacts to the aquatic environment are offset by compensatory mitigation requirements, which may include restoration, enhancement, establishment, and/or preservation of aquatic ecosystem system functions and services.

### **Evaluation Factors**

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR Part 230) as required by Section 404(b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an

Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

### **Preliminary Review of Selected Factors**

**EIS Determination**- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

**Water Quality**- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

**Coastal Zone Management**- The applicant has determined that the proposed program would comply with the certified Port Master Plan and the California Coastal Act of 1976 (Harbor Development Permit, Port of Long Beach, May 13, 2013). Based upon this information, the Corps has made a preliminary determination that the proposed program would comply with and be conducted in a manner consistent with the approved State Coastal Zone Management Program, and hereby requested concurrence or nonconcurrence with this determination from the California Coastal Commission. Furthermore, for any proposed unconfined ocean disposal, separate authorization from the California Coastal Commission would be required.

**Essential Fish Habitat**- The proposed Project is located within an area designated as EFH for two Fishery Management Plans (FMPs): Coastal Pelagic and Pacific Coast Groundfish. Of the 94 federally-managed species, four Coastal Pelagic and eight Pacific Coast Groundfish species are known to occur in the Long Beach Harbor area (SAIC 2008, MEC and Associates 2002). EFH for several species is present in the harbor, including eelgrass (*Zostera marina*), soft-bottom habitat, and hard-substrate habitat in the form of riprap. With respect to eelgrass, designated a Habitat Area of Particular Concern for groundfish, surveys of the harbor in 2008 identified eelgrass beds in Los Angeles Harbor along Cabrillo Beach and on the east side of Pier 300 (SAIC 2010), and more recent surveys identified eelgrass beds in Cerritos Channel just east of the Heim Bridge (MBC 2011) and in the Back Channel just north of NRG Energy's Long Beach generating station intake structure, both sites located within the footprint of the proposed program.

Of coastal pelagics, only the northern anchovy (*Engraulis mordax*) were abundant during surveys. Pacific sardine (*Sardinops sagax*), Pacific mackerel (*Scomber japonicus*) were common throughout the harbor, and Jack mackerel (*Trachurus symmetricus*) was common in the inner to middle harbor and uncommon in the outer harbor. Of groundfish, only Pacific sanddab (*Citharichthys sordidus*) and black rockfish (*Sebastes melanops*) were identified, and both species were found at the southern end of the Back Channel. Maintenance dredging, pile driving, and removal of navigational hazards would likely result in temporary increases in turbidity and suspended solids at these locations, which could decrease light penetration causing a decline in primary productivity due to decreased photosynthesis by phytoplankton. Any appreciable turbidity increase may also cause clogging of gills and feeding apparatuses of fish and invertebrate filter feeders. Direct impacts to benthic invertebrates include abrasion, entrainment, or mortality from the cutterhead dredge, clamshell bucket, and as a result of pile driving. The proposed dredging, pile driving, removal of navigational hazards, and additional wharf maintenance activities would temporarily increase turbidity, noise, and vibration levels within the proposed project area and its vicinity, resulting in disturbances to normal fish behavior in the water column and in or near the channel bottom. The vast majority of fish would be expected to temporarily

avoid the in-water activities, although some may remain to feed on invertebrates released from the sediments. Direct or indirect fish mortality has not been observed in the Outer Harbor as a result of dredging activities associated with the Deep Draft Navigation Improvements Project (Pier 400) (USACE and LAHD 1992). Previous studies have also shown that large-scale channel dredging and landfill operations in the 1980s and 1990s did not lead to long-term adverse effects on fish populations (MEC 1988, SAIC and MEC 1996, MEC 2002, MBC 2009b, and SAIC 2010). Noise and disturbance associated with proposed program activities, particularly pile driving, could result in short-term adverse effects on aquatic habitat and cause fish kills, but because noise and disturbance from boat traffic and other activities in the Port are part of the ambient conditions and the proposed program activities are temporary in nature, fish impacts associated with the proposed program are expected to be temporary and minor.

Maintenance dredging would remove accumulated sediments (including contaminated sediment) from the Port. Therefore, while dredging may create adverse short-term impacts to benthic species and local fish populations (such as direct mortality of organisms, burial by settling of suspended sediments, reduced ingestion, or depressed filtration rates), these impacts would be partially offset by the removal of contaminated sediments that pose an ecological risk and an ongoing hindrance to the overall health of the ecosystem in the Port. Following dredging activities, benthic communities are expected to re-colonize within the affected areas. No permanent loss of benthic habitat would occur.

In order to minimize potential adverse effects upon eelgrass, consistent with the former RGP program, the applicant proposes to conduct a pre-project eelgrass survey in accordance with the Southern California Eelgrass Mitigation Policy (SCEMP) (<http://swr.nmfs.noaa.gov/hcd/eelpol.htm>) prior to initiation of dredging, as such activities could destroy eelgrass beds present in the project footprint and could lead to adverse effects to eelgrass within the vicinity. In addition, adverse impacts on eelgrass beds would indirectly affect fish and invertebrate populations due to loss of spawning, foraging and cover habitat. If the pre-project survey demonstrates eelgrass presence within the project vicinity, a post-project survey would be conducted and impacts to eelgrass mitigated in accordance with the SCEMP.

Based upon this information, preliminary determinations indicate the proposed activity may adversely affect Essential Fish Habitat. Pursuant to Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Los Angeles District hereby requests initiation of EFH consultation for the proposed project. This notice serves to initiate the EFH consultation requirements of the Act via abbreviated consultation. It is my initial determination the proposed activity may adversely affect but would not have a substantial adverse impact on EFH or federally managed fisheries in California waters. My final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NOAA Fisheries. If I do not receive written comments (regular mail or e-mail) within the 30-day notification period, I will assume concurrence by NOAA Fisheries.

**Cultural Resources**- A search of the latest version of the National Register of Historic Places identifies the RMS Queen Mary at Pier H as the only federally listed resource falling within the proposed program area. The proposed dredging and debris clearance activities would take place below the water surface, and the proposed maintenance would consist of “in-kind” repair and replacement of existing structures. These activities are not expected to affect listed or eligible historical or cultural resources within the Port of Long Beach or Long Beach Harbor. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

**Endangered and Threatened Species-** The federally endangered California least tern (*Sterna antillarum browni*) has been observed nesting on Terminal Island since 1974 (KBC 2007). Since 1984, the Los Angeles Harbor Department has provided nesting habitat for this species pursuant to a Memorandum of Agreement (MOA) with the USFWS, USACE, and CDFW for management of a 15-acre least tern nesting site. This site has been located on Pier 400 (Terminal Island) within the Port of Los Angeles for the past ten years. The proposed Project would not occur within the vicinity (i.e., 0.5 mile or less) of the California least tern nesting site on Pier 400, and is not expected to affect nesting activities for this species. The Port of Long Beach does not contain designated critical habitat for this species.

Several California least tern foraging studies have been conducted in the harbor (summarized in KBC, 2008). The studies have shown that least terns forage preferentially over shallow water (generally less than 20 feet deep) in the Outer Harbor, particularly near the Pier 400 least tern nesting site, but rarely if ever in the Inner Harbor. Terns also use the West Basin of Long Beach Harbor, the Pier 300 Shallow Water Habitat, Seaplane Lagoon, and the Gap (the area between the Navy Mole and Pier 400 Transportation Corridor), several of which fall within or adjacent to the proposed program area. These studies have demonstrated that shallow water areas (less than 20 feet deep) provide important foraging areas for the least tern. However, both shallow and deep water areas are used, probably in response to localized fish abundance within the size range suitable for least terns. During the proposed program activities, foraging opportunities for this species may be affected by increased noise and activity, as well as increased turbidity levels. As in prior years, the applicant would prohibit activities near shallow water foraging areas during the least tern nesting season (estimated June through August) in order to minimize these potential adverse effects. It should also be noted that a similar maintenance program has been in place within the Port of Long Beach continuously since 1975, and this species may have become habituated to these recurrent, temporary activities. In addition, the proposed program generally targets high traffic areas (e.g., entrance channels, turning basins, berthing areas for commercial terminals) that may be avoided by foraging sea birds in favor of other suitable foraging habitat within the Ports of Long Beach and Los Angeles.

The federally threatened western snowy plover (*Charadrius alexandrinus nivosus*) was observed on Pier 400 during the least tern nesting surveys in 2003 through 2007. This species appears to have been using the area as a stop-over during migration, and was never observed nesting during the five-year survey period (KBC 2007). This species generally forages for invertebrates in the wet sand and amongst surf-cast kelp within the intertidal zone, in dry, sandy areas above the high tide, on salt pans, on spoil sites, and along the edges of salt marshes, salt ponds, and lagoons (*Western Snowy Plover Pacific Coast Population Draft Recovery Plan*, U.S. Fish and Wildlife Service, May 2001). This species is not expected to utilize the proposed project area or its vicinity for foraging or nesting. The Port does not contain designated critical habitat for this species.

Based upon this information, the short duration of the proposed program activities (days to weeks), and the availability of suitable foraging habitat within the vicinity of these activities, the Corps has made a preliminary determination that the proposed program would not affect California least tern, western snowy plover, or their designated critical habitat. With the public notice, the Corps is requesting U.S. Fish and Wildlife Service comments upon this determination. No additional federally listed animal species, federally listed plant species, or designated critical habitat have been identified as occurring within the proposed Project area or its vicinity.

**Public Hearing-** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

## **Proposed Activity for Which a Permit is Required**

**Basic Project Purpose-** The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent (i.e., requires access or proximity to or siting within the special aquatic site to fulfill its basic purpose). Establishment of the basic project purpose is necessary only when the proposed activity would discharge dredged or fill material in to a special aquatic site (e.g., wetlands, vegetated shallows, pool and riffle complex, mudflats, coral reefs). The use of “knockdown” or “drag beam” dredging methods to redistribute shoaled material is considered a discharge of dredged or fill material, and if occurring within vegetated shallows (e.g., eelgrass habitat), is subject to USEPA’s Clean Water Act 404(b)(1) guidelines. The basic project purpose for this subset of proposed program activities is to increase navigational safety, and is considered a water dependent activity. The remainder of the proposed program activities would not result in a discharge of dredged or fill material, and thus are not subject to USEPA’s Clean Water Act 404(b)(1) guidelines.

**Overall Project Purpose-** The overall project purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose(s) for the proposed program is to:

1. Maintain adequate depths for shipping operations<sup>1</sup>;
2. To repair or replace existing structures that are damaged or in degraded condition as a result of port activities; and,
3. To remove navigation safety hazards.

## **Additional Project Information**

**Baseline information-** Construction of the Ports of Long Beach and Los Angeles, occurring from the early 1900s through the present, changed the physical environment to a semi-enclosed system of deep-water channels and basins. Wave action, current velocities, and the biology of the harbor waters were substantially changed by the construction of the breakwaters, channels, and fills that constitute the port complex. The harbors are no longer true estuaries because they do not maintain significant year-round freshwater input, and the marine biota are not distributed along salinity gradients as in most estuarine systems. Harbor modifications changed the types of habitat available for marine organisms. For example, very little sandy beach and shallow water habitats remain, and salt marsh habitat has been virtually eliminated. This latter habitat type has been greatly reduced throughout California, and is one of the most threatened habitats in the state (Ferren 1989). Soft-bottom benthic habitat has also been altered and deepwater habitat for fish has expanded. Hard substrate has been greatly increased through installation of bulkheads, riprap for shoreline breakwaters, and pier pilings. In addition to physical modifications, commercial, military, and recreational activities over the past century have influenced ecology in the harbor by adding water pollution, turbidity, noise, and other environmental stresses (POLB, 2012). See above paragraphs “Essential Fish Habitat” and “Endangered and Threatened Species” for additional discussion regarding biota and habitats. The applicant conducts channel (dredging) maintenance, structural maintenance, and removal of navigational hazards within its boundaries on an as-needed basis. Since 1997, the Corps has periodically issued a Regional General Permit (RGP No. 28) for these activities. Pursuant to RGP No. 28, the applicant is required to submit a case-specific description of proposed dredging and disposal activities as well as an annual summary of completed maintenance activities. In

---

<sup>1</sup> Design depths currently range from approximately -36 ft. MLLW with -2 ft. for overdredge (-38 ft. MLLW) to -52 ft MLLW with -2 ft for overdredge (-54 ft MLLW ) near the berths and up to approximately -76 ft. MLLW in the Main Channel .

addition, the applicant must receive a Notice to Proceed (NTP) from the Corps prior to initiating dredging and disposal.

#### Project description-

The applicant's current five-year regional general permit (RGP 28) for maintenance dredging and routine maintenance in-water activities will expire on March 31, 2014. Accordingly, the Port is filing an application for a new five-year RGP for maintenance dredging & disposal and routine maintenance of in-water structures and facilities within the Long Beach Harbor for the next five-year period. The following provides supplemental application information and proposed changes for consideration for the new five-year RGP. In addition to the new Army Corps permit, the applicant has applied for a new five-year Waste Discharge Requirements/401 water quality certification from the Los Angeles Regional Water Quality Control Board.

#### ***Maintenance Dredging***

Persistent sedimentation and shoaling within channels and along wharves requires periodic maintenance dredging to restore design depths and ensure safe vessel navigation. Historically, the Ports of Long Beach and Los Angeles (Ports) have observed increases in both the size and number of container ships and overall cargo volumes. In February 2005, the Ports completed a forecast of container vessel specifications and port calls within San Pedro Bay (Mercator Forecast Group 2005). The Mercator study predicted that increasing cargo volumes, combined with the continued introduction of larger vessels, would result in a 74 percent increase in the number of ship calls at the San Pedro Bay ports from 2004 through 2020. The forecast also projected that 20 percent of the weekly container ship services calling at the Ports in 2020 would consist of vessels with a capacity of 8,000 to 12,000 TEU (twenty-foot equivalent unit or 20-foot-long cargo container). In comparison, 8,000-plus TEU vessels accounted for less than 2 percent of vessel calls in 2005. Accordingly, container terminals at the Ports are expecting to see a ten-fold increase in calls by these very large ships in the next 10 to 15 years, as well as more frequent calls from 14,000 to 18,000-TEU vessels. Collectively, these larger container vessels require water depths (drafts) that are greater than previous generations of cargo vessels. Accordingly, the applicant anticipates that maintenance dredging (i.e., to design depths) will become more critical as calls from these larger, deeper draft vessels become more frequent. In order to accommodate more frequent visits from larger vessels, the applicant has requested an increase in the annual dredge volume limit from 40,000 cubic yards (cy) to 150,000 cy over the five-year duration of the renewed RGP. This proposed maximum dredge volume is the same as that currently allowed under the City of Long Beach Regional General Permit No. 30. In addition, an increase in the annual limit would allow the applicant to beneficially re-use suitable (tested) dredged material at confined disposal fill sites such as Middle Harbor and Pier G<sup>2</sup>.

As with the former RGP program, the applicant would submit a Sampling and Analysis Plan (SAP) and subsequent Sampling and Analysis Report (SAR) to the Corps and other members of the South-Coast Dredged Materials Management Team/Contaminated Sediment Task Force (SC-DMMT/CSTF) for each proposed dredge site in order to evaluate the suitability of the proposed dredge material for beneficial re-use or other disposal options. Written approval from the Corps would be required for each proposed maintenance dredging activity.

---

<sup>2</sup> The Middle Harbor Redevelopment Project was previously permitted under Corps file no. 2004-01053-AOA, and the Pier G Redevelopment Project was previously permitted under Corps file no. 2001-00395-TS.

### *Proposed Dredging Methods*

In addition to previously authorized dredging methods such as clamshell, hydraulic, and hopper dredge, the applicant also proposes the use of a drag beam or a clamshell bucket to level or “knock down” topographic high spots, redistributing shoaled sediment into deeper areas within the authorized dredge footprint. Specifically, such high spots are often created near berthing areas by propulsion forces from large or powerful vessel propellers (e.g., tug boats). These high spots are generally 0.5 to 2 feet in height and are scattered along wharf faces and adjacent areas, rendering the use of mechanical or hydraulic dredging equipment not feasible and/or not cost effective. Maintaining design depths within the Ports has become a critical navigation and safety concern due to current draft requirements for Post-Panamax<sup>3</sup> style container vessels. It is common for vessels to maintain very shallow clearances (sometimes inches) as they transit the Inner Harbor areas and along terminals. As such, areas where sediment accumulation exceeds 6- to 12 inches above the design depth presents significant concerns to vessel captains and port pilots. “Knockdown” dredging is now a common practice used at ports and harbors throughout the United States, and is a much more economical and practical approach to meet this need for dredging on a finer scale. As proposed, this dredging option would supplement the other dredge methods previously used within the Port.

### *Proposed Knockdown Dredging Methods*

The Port proposes to utilize the following methods when performing knock-down dredging for maintenance dredging. The specific method will be determined on a case-by-case basis for each knock-down dredging project depending on the type of material and location of the high spots in proximity to wharf structures (e.g. pilings, fenders, etc.).

- 1) Drag Beam: An I-beam, rake, cutting edge, or similar fixed object would be dragged by a vessel (e.g. boat, barge) across a shoal in order to redistribute the shoaled material from a high area to a low area within the approved project boundary.
- 2) Clamshell Bucket or Excavator: A clamshell bucket, excavator, or similar equipment would be used to “sweep” the bottom to knock down high spots. This method would be used to remove high spots near piles or other wharf structures where the use of a drag beam is not feasible. A clamshell bucket, excavator, or similar equipment could also be used to relocate (but not lift out of the water column) shoaled material and then place the material on the bottom of a nearby area within the project boundary. The material would either be placed in a lower area or would be placed on the bottom and then leveled out or pushed to a low area within the approved project boundary.

### *Draft Knockdown Dredging Criteria*

- Knockdown dredging where material is not removed but redistributed is limited to no more than 15,000 cubic yards of material per year.
- For each knockdown dredging project, the total volume to be knocked down cannot exceed 2,000 cy.
- Knockdown dredging shall not be performed in the same area more than once per year.
- Knockdown dredging will, at all times, be contained within an approved project boundary for the berth, channel, etc. The project boundary will be determined on a case-by-case basis in coordination with the SC-DMMT/CSTF. Material resulting from

---

<sup>3</sup> Panamax class is the largest acceptable size of vessel to transit the Panama Canal.

the knockdown dredging shall not be moved more than a 1,500 foot radius from where the high spot is located.

- The Port and its contractor shall be allowed a knockdown dredging tolerance of 1-foot below the design depth/permitted depth.
- Sediment sampling (i.e. elutriate testing) will be performed prior to each knockdown dredging project. The sampling approach will be presented in a Sampling and Analysis Plan and provided to the CSTF for approval.
- Water quality monitoring will not be performed during knockdown dredging projects due to the short duration of events.
- The Port would seek approval from the SC-DMMT/CSTF on the use of this method prior to receiving a notice to proceed (NTP) for each project. Detailed information on the type of knockdown dredging method and designated project boundary will be provided with the NTP request.

### *Disposal of Dredged Material*

Disposal options would be based on sediment sampling results conducted for each dredge operation and the suitability of the material for beneficial re-use. The proposed disposal sites include:

1. Port landfill project (e.g., Middle Harbor, Pier G);
2. Port upland disposal site; and,
3. Port's Western Anchorage Sediment Storage Site.

The Port's first priority is to beneficially re-use the material in a Port landfill project. However, Western Anchorage could be used if the dredge material is found suitable for open ocean disposal and can be re-used as fill material within the Port. If the dredged material does not meet USEPA test requirements for temporary storage at the Port's Western Anchorage site, a suitable upland disposal site would be used.

### ***Routine Maintenance of Existing Structures and Facilities***

The applicant also anticipates the need to conduct routine maintenance of in-water structures and facilities. This would include the repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, provided that the structure or fill is not to be put to uses differing from those uses specified in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or fill area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation or replacement would be authorized on a case by case basis. Routine maintenance activities covered under this RGP may include, but are not limited to:

- Removal and recovery of debris/objects posing a navigational safety hazard to vessels. This may include sunken vessels/barges; containers; chassis; anchors; concrete; rubber tires; pipelines protruding above the mudline; broken/damaged fender system components; concrete/steel/timber pilings and studs; and other miscellaneous debris/objects;
- Routine wharf/dock maintenance work including repair or like-for-like replacement of pilings, camel logs, fender systems, cutoff/quay/retaining walls, foundation/footings, bulkheads, and other associated wharf components;
- Shoreline and in-water maintenance, repairs, or like-for-like replacement of slopes, dikes, breakwater, rip rap, etc.;
- Repair, minor modification, and in-alignment replacement of docks, gangways, floats, piers, launch ramps, dolphins, mooring buoys, and anchor pilings;

- Routine in-water maintenance, repair and or replacement of pile wraps, jackets, and corrosion prevention system (anodes, cables, and mounting brackets).

Written approval from the Corps would be required for each proposed maintenance dredging activity. Projects involving an increase in shading or permanent impacts to waters of the U.S. would also require separate authorization. Disposal of materials resulting from these activities would include temporary placement at an upland location within the Port for drying and sorting prior to disposal. Any scrap steel would be recycled and rock/concrete would be crushed into miscellaneous road base for Port use. Non-recyclable debris would be disposed of at upland landfills appropriate for the type of debris generated and in accordance with federal and state regulations.

Proposed Mitigation– The proposed mitigation may change as a result of comments received in response to this public notice, the applicant's response to those comments, and/or the need for the project to comply with the 404(b)(1) Guidelines. In consideration of the above, the proposed mitigation sequence (avoidance/minimization/compensation), as applied to the proposed project is summarized below:

Avoidance and Minimization:

1. No maintenance work authorized under this program would be allowed within shallow water foraging areas during the nesting season (June 1 through August 31) for California least tern (*Sterna antillarum browni*).
2. Maximum dredging limit of 150,000 cubic yards per year (including 15,000 cy limit per year for knockdown dredging);
3. Submission of Sediment Analysis Plan and subsequent Sampling and Analysis Report (SAR) to the Corps and other members of the SC-DMMT/CSTF for each proposed dredge site;
4. Prior to each maintenance dredging event , the applicant would conduct pre-project eelgrass survey in accordance with the Southern California Eelgrass Mitigation Policy (SCEMP) (<http://swr.nmfs.noaa.gov/hcd/eelpol.htm>).
5. Use of unconfined disposal sites (i.e., Western Anchorage) would be subject to approval by the Corps, USEPA, and other members of the SC-DMMT/CSTF; and
6. Submission of post-dredge bathymetry results to Corps and NOAA National Ocean Service.

Compensation:

1. In circumstances where a pre-project eelgrass survey demonstrates eelgrass presence within or in the vicinity of a proposed maintenance dredging project, a post-project survey would be conducted and impacts to eelgrass mitigated in accordance with the SCEMP.

For additional information please call John Markham of my staff at 805-585-2150 or via e-mail at [John.W.Markham@usace.army.mil](mailto:John.W.Markham@usace.army.mil) . This public notice is issued by the Chief, Regulatory Division.



*Regulatory Program Goals:*

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

---

**U.S. ARMY CORPS OF ENGINEERS – LOS ANGELES DISTRICT**  
DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, CORPS OF ENGINEERS  
VENTURA FIELD OFFICE  
2151 ALESSANDRO DRIVE, SUITE 110  
VENTURA, CALIFORNIA 93001

[WWW.SPL.USACE.ARMY.MIL](http://WWW.SPL.USACE.ARMY.MIL)

# MAINTENANCE DREDGE AREA

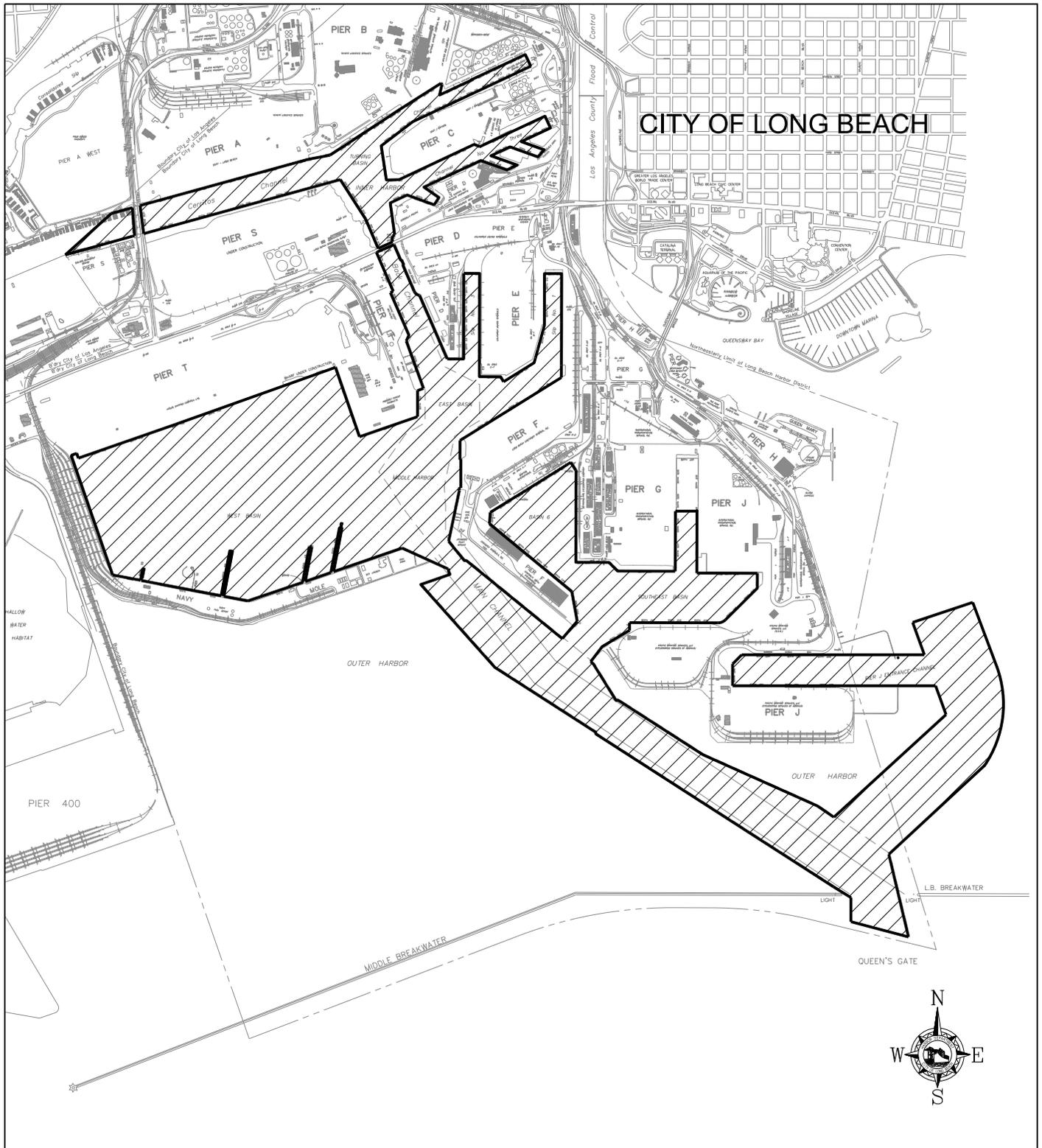


Figure 1



Figure 2

**Proposed Disposal Sites**

1. Pier G South Slip Fill
2. Middle Harbor Slip and Basin Fill
3. Upland Processing Area
4. Western Anchorage Sediment Storage Site