Encinitas-Solana Beach Coastal Storm Damage Reduction Project

San Diego County, California

Appendix A

Agency Coordination and Public Involvement

U.S. Army Corps of Engineers
Los Angeles District

December 2012

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Public Scoping Report

U.S. Army Corps of Engineers – Encinitas - Solana Beach Coastal Storm Damage Reduction Project

State Clearinghouse #2012041051

US Army Corps of Engineers ®
Los Angeles District

CEQA Co-Lead Agencies:

City of Solana Beach
635 South Highway 101
Solana Beach, California 92075

City of Encinitas
505 South Vulcan Avenue
Encinitas, California 92024

NEPA Lead Agency:

U.S. Army Corps of Engineers
Los Angeles District
P.O. Box 532711
Los Angeles, CA. 90053-2325

1 Introduction

The environmental assessment of the Encinitas-Solana Beach Coastal Storm Damage Reduction Project is being conducted in accordance with state and federal regulations. The cities of Solana Beach and Encinitas are acting as co-lead agencies for purposes of compliance with the California Environmental Quality Act (CEQA). The United States Army Corps of Engineers, Los Angeles District, (USACE) is the lead agency for purposes of compliance with the National Environmental Policy Act (NEPA). The public scoping requirements for each of these regulations differs slightly; however, the intent of each process remains the same — to initiate public scoping to assist in the preparation of the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) by providing information about the Proposed Project to, and solicit information that will be helpful in the environmental review process from the public.

This Scoping Report for the Proposed Project documents the issues and concerns expressed by members of the public, government agencies, and organizations during the April – May 2012 public scoping period. After the release of the Notice of Preparation (NOP), the Cities and the USACE held a 30-day public scoping period under CEQA. The comment period allowed the public and regulatory agencies an opportunity to comment on the scope of the environmental document, comment on the alternatives considered, and to identify issues that should be addressed in the EIS/EIR. An earlier public review and comment period was previously conducted by the USACE as part of the review process under NEPA.

The Cities and the USACE will prepare an EIS/EIR, which will evaluate the potential environmental impacts associated with Project and will identify mitigation measures to reduce these impacts to an insignificant level, where possible.

1.1 Purpose of Scoping

The process of determining the focus and content of an EIS/EIR is known as scoping. Scoping helps to identify environmental features, areas of local concern, update local conditions, and eliminate from detailed study those issues that are not pertinent to the final decision on the Proposed Project. The scoping process is not intended to resolve differences of opinion regarding the Proposed Project or evaluate its merits. Instead, the process allows all interested parties to express their concerns regarding the Proposed Project and thereby ensures that all opinions and comments are considered in the environmental analysis. Scoping is an effective way to bring together and address the concerns of the public, affected agencies, and other interested parties. Members of the public, relevant federal, state, regional, and local agencies, interests groups, community organizations, and other interested parties may participate in the scoping process by providing comments or recommendations regarding issues to be investigated in the EIS/EIR.

Comments received during the scoping process are part of the public record as documented in this scoping report. The comments and questions received during the public scoping process have been reviewed and considered by the Cities and the USACE in determining the appropriate scope of issues to be addressed in the EIS/EIR.

The purpose of the scoping for Project was to:

- Inform the public and relevant public agencies about the Project, CEQA and NEPA requirements, and the environmental impact analysis process;
- Identify potentially significant environmental resources for consideration in the EIS/EIR; and

- Compile a mailing list of public agencies and individuals interested in future Project meetings and notices.

1.2 Summary of the Proposed Project

The USACE is proposing to implement a 50-year coastal storm damage reduction project in the cities of Solana Beach and Encinitas, California. The Cities and the USACE are preparing an Integrated Feasibility Study & EIS/EIR that will describe the project need, goals and objectives of the project, baseline environmental conditions in the project area, and the potential environmental effects associated with implementation of the Shoreline Project (Proposed Project). Alternatives to the Proposed Project and the potential effects of those alternatives will also be described and analyzed in the EIS/EIR.

In 2005, the USACE and the Cities issued a Draft EIS/EIR for the Encinitas-Solana Beach Shoreline Protection Project. However, the project description and range of alternatives has been modified since 2005 and the Draft EIS/EIR was never finalized. Changes to the Proposed Project and the lapse of time that has since occurred has prompted the Lead Agencies to prepare a new Draft EIS/EIR anticipated to be released for public review in late 2012.

The USACE and the cities of Encinitas and Solana Beach are preparing an Integrated Report & EIS/EIR to assess shoreline protection options and potential effects along the coastlines of these two cities. The purpose of the EIS/EIR is to evaluate alternatives for reducing coastal storm damage over a 50-year period from 2015 through 2065. This Feasibility Study was authorized by Resolution of the House Public Works and Transportation Committee (May 13, 1993).

The Draft EIS/EIR will analyze the potential impacts of the Proposed Project and a range of reasonable alternatives to the Project. The Proposed Project and Alternatives will include both structural and non-structural approaches to shoreline protection. Approximate initial placement volumes currently being considered range from 600,000 cubic yards (cy) to 800,000 cy for Encinitas and 400,000 cy to 1,700,000 cy for Solana Beach. The life of the Proposed Project would be 50 years during which time periodic re-nourishment with lower incremental volumes of material would occur to maintain protection of the shoreline. The Proposed Project and possible Alternatives that will be addressed in the EIS/EIR include:

Proposed Project / Alternative 1: Use of offshore sand deposits (borrow sites) for placement on the beach in Encinitas (Segment 1) and Solana Beach (Segment 2). The beach-fill design parameters have been determined by considering various combinations of beach-fill widths, and different replenishment cycles. Each option has one combination of an initial beach width and a respective duration for the subsequent renourishment cycles.

Beach Nourishment with Engineered Notch Infills / Alternative 2: This Alternative includes a “hybrid” mix of notch fills and beach widening to provide shoreline protection. Existing notches and sea caves at the base of the bluffs would be filled with concrete to stabilize the lower bluff prior to placement of sand on the beach. The sand would come from offshore borrow sites as in the Proposed Project.

No Project / Alternative 3: Under this Alternative, no structural or non-structural shoreline protection measures would be built or implemented during the project life occurring between 2015 and 2065. Seawalls are assumed to be built on an as needed basis by individual property

owners in both cities. The Draft EIS/EIR would evaluate the potential environmental effects associated with no Project in place.

1.3 Scoping Report Organization

This scoping report includes four main sections and appendices, as described below:

- Section 1 provides an introduction to the report and describes the purpose of scoping and a brief overview of the Project.
- Section 2 provides information on the scoping meeting and notification materials, including the Notice of Preparation and Notice of Intent.
- Section 3 summarizes the comments received and issues raised during the scoping comment period.
- Section 4 provides the next steps in the EIS/EIR process.
- Appendices consist of all the supporting materials used during scoping. These appendices include copies of the Notice of Preparation, Notice of Intent, and meeting materials provided at the public scoping meetings. It also includes copies of comment letters received on the Project.

2 Project Scoping

This section describes the methods used to notify the public and agencies about the scoping process conducted for the Project. It outlines how information was made available for public and agency review and identifies the different avenues available for providing comments on the project (meetings, fax, email, mail, and phone).

2.1 Notice of Preparation (NOP)

As required by CEQA Guidelines §15082, the Cities issued a NOP on April 20, 2012, that summarized the Project, stated its intention to prepare a joint EIS/EIR, and requested comments from interested parties (See Appendix A). The NOP also included notice of the public scoping meetings that were held on May 3, 2012 in Encinitas (1:00 – 3:00 PM) and Solana Beach (6:00 – 8:00PM), California, respectively. The NOP was filed with the State Clearinghouse on April 18, 2012 (SCH# 2012041051), which began the 30-day public scoping period. The review period for the NOP ended on May 21, 2012.

Over 116 copies of the NOP were distributed to federal, State, regional, and local agencies elected officials and the general public.

In addition, copies of the NOP were delivered to local repository sites at the Cities of Encinitas and Solana Beach. The NOP and all future Project-related documents are available for review at the following repository sites as shown in **Table 2.1-1**.

Table 2.1-1 Repository Sites

City Hall Locations	
Solana Beach City Hall	635 South Highway 101, Solana Beach, CA 92075..... (858) 720-2400
Encinitas City Hall	505 South Vulcan Avenue, Encinitas, CA 92024 ..... (760) 633-2601
USACE Offices	
Los Angeles District	915 Wilshire Boulevard 15th Floor, Los Angeles, CA. 90017..... (213) 452-3789

2.1.1 NOP Scoping Meetings

Public scoping meetings were held on May 3, 2012 in both the City of Encinitas and the City of Solana Beach. The scoping meetings provided an opportunity for the public and government agencies to obtain more information on the Project, to learn more about the CEQA and NEPA processes, to ask questions regarding the Project, and to provide formal comments on the Project.

Meeting Locations and Handouts

The two scoping meetings were held at the locations and on the dates specified in **Table 2.1-2**.

Table 2.1-2 Public Scoping Meetings

Date and Time	Meeting Location	Sign-Ins	Written Comments Received
Thursday, May 3, 2012 1:00 to 3:00 p.m.	City of Encinitas Poinsettia Room 505 South Vulcan Avenue Encinitas CA 92024	7	0
Thursday, May 3, 20125 6:00 to 8:00 p.m.	City of Solana Beach Council Chambers 635 South Highway 101, Solana Beach, CA 92075	17	1

Handouts and informational materials available at each meeting are listed below. Refer to **Appendices A and B** for copies of these materials.

- Notice of Preparation and Notice of Intent
- PowerPoint Presentation
- Comment Cards
- Sign In Sheets

Other information was also made available for public review which included large-scale aerial maps of the Project area and the linear extent of the Proposed Project.

Newspaper Advertisements

The date and location of the public scoping meetings were advertised in two local newspapers. The advertisements provided a brief synopsis of the project and encouraged attendance at the meetings to share comments on the project. The meeting advertisements were placed in the newspapers presented at right (also see **Appendix B**).

Newspaper Advertisements

Publication	Advertisement Date
The North County Times	Saturday, April 21, 2012
The Coast News	Friday, April 27, 2012

2.1.2 Agency Coordination

Over 40 federal, State, regional and local agencies were contacted to provide information on the project as part of ongoing coordination on the Project. These agencies were sent an information packet that included the NOP that described the key components of the project.

2.1.3 City Websites and e-Blast

Information about the Project was made available through the websites of both Cities and the USACE and distributed electronically through the City of Solana Beach "e-Blast" system and through the City of Encinitas. During the April 20, 2012 - May 21, 2012 scoping period, the websites included electronic versions of the NOP, and Project-related maps and thus provided another public venue to learn about the Project. The websites will remain a public resource for the Project and will announce future public meetings and hearings. The website addresses are:

http://www.ci.solana-beach.ca.us/csite/cms/home.htm

http://www.ci.encinitas.ca.us/index.aspx?page=74

http://www.spl.usace.army.mil/Missions/CivilWorks/ProjectsStudies/SolanaEncinitasShorelineStudy.aspx

3 Scoping Comments

Appendix C contains copies of all written (and emailed) comments received from the general public, government agencies, and private companies during the 30-day CEQA scoping period.

This section summarizes the comments raised by the public and agencies during the scoping process for the Project. This summary is based upon both written and oral comments that were received during the NOP review period, which officially extended from April 20, 2012 through May 21, 2012. All written and oral comments received during the public comment period on the NOP, during the public scoping meetings, and through email were reviewed for this report and for the EIS/EIR.

Five individuals presented oral comments during the two scoping meetings, and 11 comment letters and/or emails were submitted during the scoping process. **Appendix C** includes copies of all written comments received during the 30-day public review and comment period. Written comments were received from the following agencies, organizations and individuals:

Government Agencies and Special Districts
California Native American Heritage Commission
California State Lands Commission
California Department of Toxic Substances Control
U.S. Environmental Protection Agency

Private Organizations and Companies
Kent Crothers
Ann Baker
Sue Steele
Dave Schug, URS
Jim Jaffee, Surfrider Foundation
Randy Payne
Scott MacKinnon
Steve Aceti, California Coastal Coalition

Summary of Issues Raised during the Public Comment Period

As discussed above, written comments were provided by members of the public, organizations, and government agencies. **Table 2.1-1** summarizes the key issues identified from the written and oral comments received on the project. The specific issues raised during the public scoping process are summarized by commenting entity and are organized by the date the comment letter or email was received by the City:

Table 2.1-1 NOP Written Comments Summary Table

Comment Letter (In order received)	Commenter	Agency / Resident / Public	Date	Summary of Comments on the NOP
1	Kent Crothers	Public	April 24, 2012	Opposes project for fiscal reasons.
2	Dave Singleton	California Native American Heritage Commission	April 30, 2012	Recommends early and ongoing productive consultation with Native American tribes in the project area and provides local contact list; cultural resources have been identified within the project area of potential affect and should be discussed in the EIS/EIR; the National Historic Preservation Act should also be reviewed for compliance with NEPA requirements; avoidance of effects on Native American burial sites is recommended.
3	Ann Baker	Resident	May 2, 2012	Supports project 100%.
4	Sue Steele	Resident	May 4, 2012	Project is needed to restore shoreline for recreational, environmental and public safety benefits.
5 6	Dave Schug U.S. Environmental Protection Agency	URS Corporation	May 5, 2012 May 8, 2012	Wants information on identification of the offshore borrow sites and to be added to the project contact list.
7	Jim Jaffee	Surfrider Foundation, San Diego County Chapter	May 15, 2012	Wants managed retreat alternative evaluated in EIS/EIR and wants it described as involving property acquisition, following beach nourishment and seawall removal; utilize longshore and cross shore analysis for sand movement based on recent LIDAR data; avoid impacts to surf spots; utilize USACE Coastal Engineering

				Manual guidelines; proper description of existing wave cut platform conditions offshore; NOP does not accurately characterize existing conditions and should reference active erosion and narrow beaches; beach nourishment exceeds average natural sand volume in Oceanside littoral cell; consider cumulative effects of other projects in area; City's consultant and federal lobbyist is affiliated with the ASBPA and are therefore biased against managed retreat alternative.
8	Randy Payne	Public	May 17, 2012	Opposed to project as it will not stop mid and upper bluff erosion; prefers purchase of some bluff top properties.
9	Cy R. Oggins	California State Lands Commission	May 18, 2012	CSLC has authority over portions of the project area and the CSLC is a Responsible and Trustee Agency and the applicants will need approvals from the CSLC; the EIS/EIR should include a complete project description to facilitate meaningful environmental review; the EIS/EIR should evaluate potential effects on sensitive species and look at potential effects of invasive species introduction from equipment used in the water that could transport non-native species to the area; construction noise and vibration effects on marine animals and birds should be evaluated; the EIS/EIR should evaluate potential greenhouse gas emissions of the project and potential effects of sea level rise on the project; submerged cultural resources should be evaluated in the EIS/EIR; where required feasible mitigation measures should be specified.

10	Rafiq Ahmed	California Department of Toxic Substances Control	May 18, 2012	Potential threats to human health and the environment should be evaluated in the EIS/EIR; local, state and federal regulatory databases should be reviewed to determine if any land affected by the project has been identified as contaminated; the EIS/EIR should note if project construction would result in exposure of people to hazardous materials.
11	Scott MacKinnon	Resident	May 21, 2012	Supports project involving nourishment only or nourishment and notch infills; project will help restore shoreline since natural sources from streams and rivers have been cut off; project would benefit the region
12	Steve Aceti	California Coastal Coalition	May 21, 2012	Supports project as much needed and well timed to follow after RBSP 2; what is source material for beach nourishment; will sand be placed near the Swami's State Marine Conversation Area; have the regulatory agencies required pre-mitigation?

4 Next Steps in EIS/EIR Process

4.1 EIS/EIR Events and Documents

While scoping is the initial step in the environmental review process, additional opportunities to comment on the Project EIS/EIR will be provided. In addition, the Cities and the USACE will provide opportunities for additional public input when the Draft EIS/EIR is released and during the public meetings for the Draft EIS/EIR. **Table 4.1-1** presents the proposed schedule for the EIS/EIR and identifies where in the process the public and agencies can provide additional input in the environmental review process.

Table 4.1-1 EIS/EIR Events and Documents

Event/Document		Purpose	Approximate Date
Completed Events and Documents			
Notice of Preparation (NOP) for CEQA	Release of NOP[1]	Notified interested parties and agencies of the Cities and USACE intent to prepare an EIS/EIR.	April 18, 2012
	Public Review Period	30-day public scoping period on the Project to provide for public comments on the scope of EIS/EIR.	April 20, 2012 to May 21, 2012
Scoping Meetings – NOP	Two scoping meetings were held	Presented information on the Project and provided opportunity for public and agency comments in a public forum.	May 3, 2012
Notice of Intent (NOI) for NEPA	NOI published in the Federal Register	Initiated the NEPA public scoping process and served to inform other cooperating agencies of the USACE's intent to prepare an EIS/EIR.	April 20, 2012
Scoping Report for CEQA NOP Process		Reported public and agency comments on the proposed Project and environmental issues of concern to the public and agencies. This report includes comments made during the scoping process for the CEQA Notice of Preparation.	June 2012
Upcoming Events and Documents			
Draft EIS/EIR	Release of Draft EIS/EIR	Presents impacts and mitigation for the Proposed Project and its alternatives	September 2012
	Public Review Period	CEQA: 45-day minimum review period for State agencies. NEPA: USACE requires a 45-day public review period.	September – November 2012
	Draft EIS/EIR Public Meetings	Allows for public comment on the draft document	September – November 20126
Final EIS/EIR	Release of Final EIS/EIR	Final EIS/EIR, with response to comments, issued by Cities and USACE Final EIS/EIR is filed with US EPA	February 2013
	Decision on the Project	Cities certify EIS/EIR and issue a Proposed Decision USACE issues the Record of Decision	Spring 2013 Summer 2013

Note: 1. The NOP was mailed to interested parties, federal, State, and local regulatory agencies, and elected officials.

Appendix A

CEQA Notice of Preparation (NOP)
and
NEPA Notice of Intent (NOI)

US Army Corps of Engineers
Los Angeles District

FILED
Ernest J. Dronenburg, Jr., Recorder County Clerk
APR 18 2012
BY H. Ayuyao
DEPUTY

Notice of Preparation

Draft Environmental Impact Report (EIR) & Environmental Impact Assessment (EIS)

City of Encinitas & City of Solana Beach Shoreline Protection Project

Date: **April 18, 2012**

To: **State Clearinghouse, Responsible Agencies, Trustee Agencies, Interested Parties and Organizations**

From: **City of Solana Beach, 635 S. Highway 101, Solana Beach, CA. 92075**
City of Encinitas, 505 S. Vulcan Avenue, Encinitas, CA. 92024

Introduction

The City of Encinitas and the City of Solana Beach (Cities), California are Co-Lead Agencies under the California Environmental Quality Act (CEQA) of 1970 and as amended [Public Resources Code, §§21000-21178 and California Code of Regulations, Title 14, Chapter 3 §§15000-15387] and will prepare a joint Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) with the United States Army Corps of Engineers (USACE) for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR/EIS prepared by our agency when considering your permit or other discretionary approval for the project.

The USACE Los Angeles District is the federal Lead Agency for the Encinitas-Solana Beach Shoreline Protection Project in compliance with the National Environmental Protection Act (NEPA) of 1969 (42 United States Code 4321, as amended). A Notice of Intent (NOI) is anticipated to be published in the Federal Register on April 20, 2012.

The Cities and the USACE are preparing a joint EIR/EIS and Feasibility Study that will describe the project need, goals and objectives of the project, baseline environmental conditions in the project area and the potential environmental effects associated with

implementation of the Shoreline Protection Project (Proposed Project). Alternatives to the Proposed Project and the potential effects of those alternatives will also be described and analyzed in the Draft EIR/EIS.

In 2005, the USACE and the Cities issued a Draft EIR/EIS for the Encinitas-Solana Beach Shoreline Protection Project. However, the project description and range of alternatives has been modified since 2005 and the Draft EIR/EIS was never finalized. Changes to the Proposed Project and the lapse of time that has since occurred has prompted the Lead Agencies to prepare a new Draft EIR/EIS anticipated to be released for public review in late 2012.

Project Study Area

The Proposed Project is located along the Pacific Ocean in the Cities of Encinitas and Solana Beach, San Diego County, California. Encinitas is approximately 10 miles south of Oceanside Harbor, and 17 miles north of La Jolla. The Encinitas shoreline is about 6 miles long. It is bounded on the north by Batiquitos Lagoon and on the south by San Elijo Lagoon. Immediately south of Encinitas is the City of Solana Beach. Solana Beach is bounded by San Elijo Lagoon to the north and on the south by the San Dieguito Lagoon. Solana Beach is approximately 17 miles south of Oceanside Harbor, and 10 miles north of La Jolla. Solana Beach's shoreline is approximately 1.7 miles long. All of the shoreline in the study area consists of narrow sand and cobblestone beaches fronting coastal bluffs. A small stretch of beach west of the San Elijo Lagoon is backed by Highway 101 (Pacific Coast Highway) and is the only segment of the beach not backed by coastal bluffs.

The Proposed Project study area is divided into two segments. Segment 1 is located within the City of Encinitas and extends from the 700 Block of Neptune Avenue to Swami's Reef and is approximately 2.0 miles long. Segment 2 encompasses the entirely of the City of Solana Beach and stretches from Table Tops Reefs in Encinitas to the southern limit of Solana Beach and is approximately 1.7 miles in length. (See attached exhibits)

In the last several decades, the shorelines of both cities have experienced accelerated erosion of the beaches and coastal bluffs. Since the late 1970s and early 1980s, Southern California has experienced a series of unusual weather events, called El Ninos, when compared to the rest of this century. These El Nino storms create substantial erosion of the shoreline. Delivery of sand to the shoreline from rivers has also been significantly reduced regionally due to river damming for water storage projects as well as the construction of highways, railroads, and streets and the mining of sand. The cumulative effects of these natural and manmade events has resulted in severe erosion of the once sandy beaches. With the loss of the wide sandy beaches, storm waves directly attack the bluff creating failures of the coastal bluff and jeopardizing the public buildings and infrastructure and private structures located atop the coastal bluffs.

Proposed Project Description and Alternatives to the Project

The USACE and the cities of Encinitas and Solana Beach are preparing a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) to assess shoreline protection options and potential effects along the coastlines of these two cities. The purpose of the

EIR/EIS is to evaluate options for reducing beach and shoreline erosion over a 50-year period from 2015 through 2065. The Encinitas/Solana Beach Shoreline Feasibility Study as authorized by Resolution of the House Public Works and Transportation Committee (May 13, 1993).

The Draft EIR/EIS will analyze the potential impacts of the Proposed Project and a range of reasonable alternatives to the Project. The Proposed Project and Alternatives will include both structural and non-structural approaches to shoreline protection. Approximate initial placement volumes currently being considered range from 600,000 cubic yards (cy) to 800,000 cy for Encinitas and 700,000 cy to 1,700,000 cy for Solana Beach. The life of the Proposed Project would be 50 years during which time periodic re-nourishment with lower incremental volumes of material would occur to maintain protection of the shoreline. The Proposed Project and possible Alternatives that will be addressed in the EIR/EIS include:

Proposed Project / Alternative 1: Use of offshore sand deposits (borrow sites) for placement on the beach in Encinitas (Segment 1) and Solana Beach (Segment 2). The beach-fill design parameters have been determined by considering various combinations of beach-fill widths, beach nourishment locations and fill footprints and different replenishment cycles. Each option has one combination of an initial beach width and a respective duration for the subsequent renourishment cycles.

Beach Nourishment with Engineered Notch Infills / Alternative 2: This Alternative includes a "hybrid" mix of both structural and non-structural measures to provide shoreline protection. Existing notches and sea caves at the base of the bluffs would be filled with concrete to stabilize the lower bluff prior to placement of sand on the beach. The sand would come from offshore borrow sites as in the Proposed Project and seasonally bury a portion of the notch infills at the base of the bluff. However, in this Alternative the optimized beach width is narrower and the volume of material to be deposited reduced.

Optimized Combined Joint Beach Nourishment / Alternative 3: This is a reduced volume Alternative for Solana Beach compared to the Proposed Project and attempts to synchronize the renourishment cycles of both Cities to maximize project efficiency and cost effectiveness. The volume and renourishment cycle for Encinitas is identical to the Proposed Project.

No Project / Alternative 4: Under this Alternative, no structural or non-structural shoreline protection measures would be built or implemented by the USACE during the project life occurring between 2015 and 2065. Seawalls are assumed to be built on an as needed basis by individual property owners in both cities. The Draft EIR/EIS would evaluate the potential environmental effects associated with no USACE shoreline protection program in place.

Potential Environmental Effects to be evaluated in the Draft EIR/EIS

The full range of resource topics will be analyzed within the Draft EIR/EIS include:

- Aesthetics
- Air Quality/Greenhouse Gasses
- Biological Resources
- Climate Change
- Cultural Resources
- Geology and Soils
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Land Use
- Mineral Resources

- Noise
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems
- Cumulative Effects

Public Scoping Meetings

Coordination with federal, State, Regional and local agencies has been ongoing for several years. Issuance and publication of this Notice of Preparation and related federal NOI formally initiates the public scoping and public involvement process regarding this Project. Public scoping meetings are scheduled in both Encinitas and Solana Beach.

Encinitas City Hall, Poinsettia Room
May 2, 2012
1:00 PM to 3:00 PM

Solana Beach City Council Chambers
May 2, 2012
6:00PM to 8:00 PM

Comments on the Notice of Preparation

The public will have an opportunity to provide input on the scope and content of the Draft EIS/EIR. The public as well as Federal, State, and local agencies are encouraged to participate. Additional information regarding the scoping meetings will be published in the North County Times, posted on the City websites www.cosb.org and www.ci.encinitas.ca.us and notices will be mailed to all parties on the project mailing list.

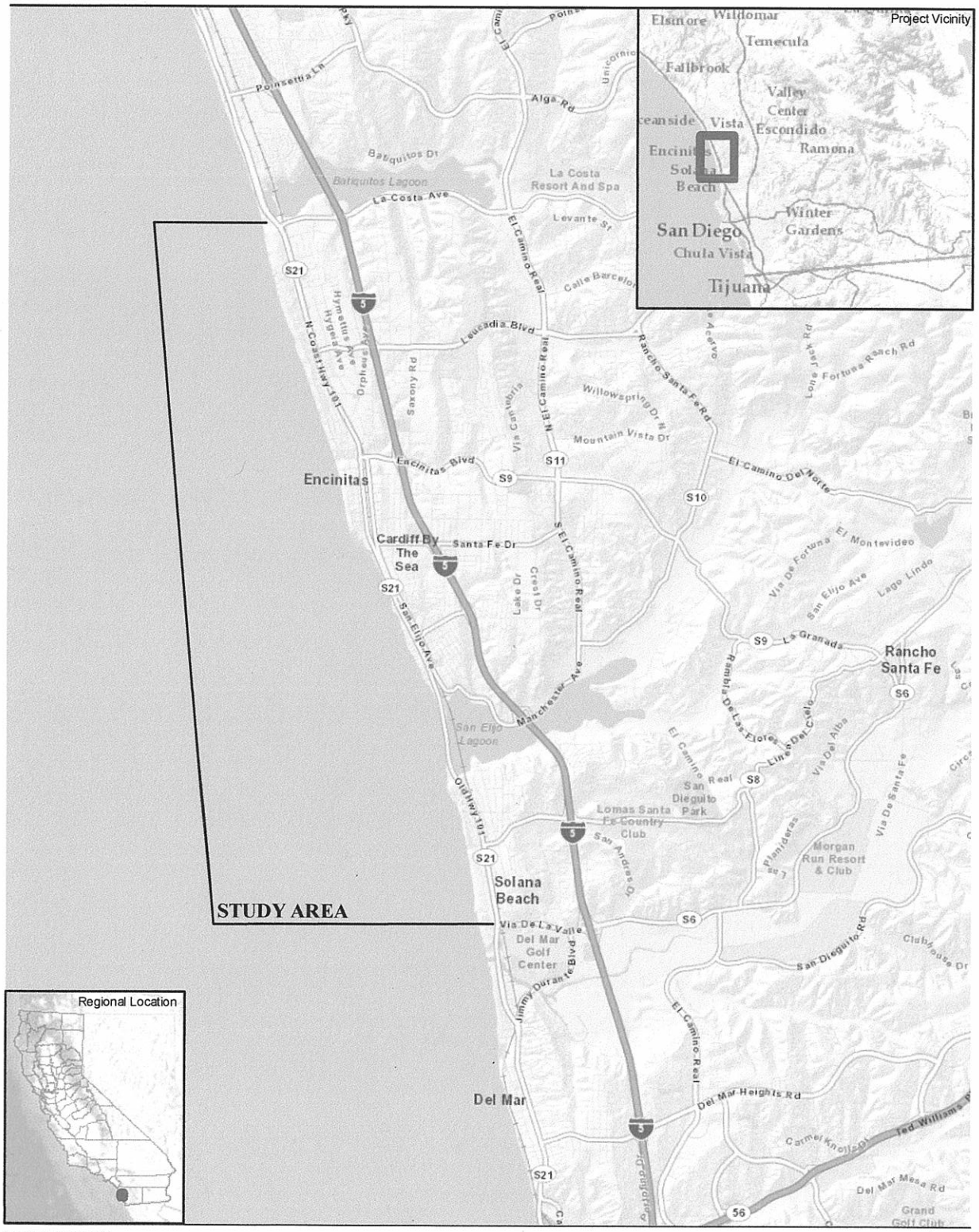
Due to the time limits mandated by state law, your response must be sent at the earliest possible date but no later than 30 days after receipt of this notice. Please send your comments on the NOP to:

Ms. Leslea Meyerhoff, AICP
Project Manager - City of Solana Beach
635 S. Highway 101
Solana Beach, California 92075
Phone: (858) 720-2446 or by email to LMeyerhoff@cosb.org

OR

Ms. Kathy Weldon
Project Manager - City of Encinitas
505 S. Vulcan Ave.
Encinitas, California 92024
Phone: (760) 633-2770 or by email to KWeldon@ci.encinitas.ca.us

Requests to be placed on the Project mailing list should also be sent to the above address.



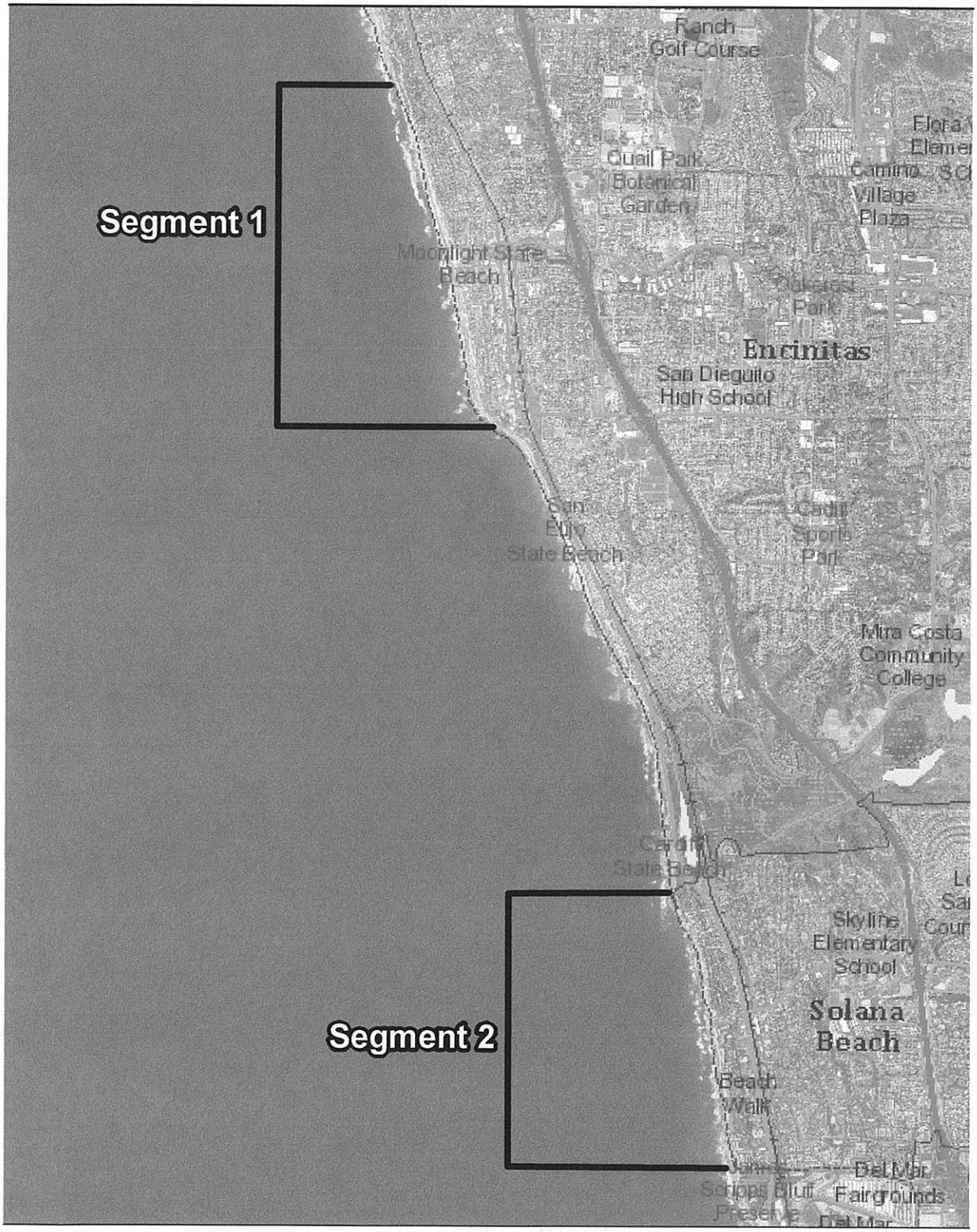
Source: ESRI 2012

1.5 0.75 0 1.5 Miles

Scale: 1:95,040; 1 inch = 1.5 miles

Figure 1
Project Study Area

Path: P:\2009\09080023 Shoreline Proj\6.0 GIS\6.3 Layout\NOI_NOP\StudyArea.mxd, 4/2/2012, steinb



Source: ESRI 2012

4,000 2,000 0 4,000 Feet

Scale: 1:48,000; 1 inch = 4,000 feet

Figure 2
Project Segments

Path: P:\2009\09080023 Shoreline Proj\6.0 GIS\6.3 Layout\NOI_NOP\Segments.mxd, 4/2/2012, steinb

Print Form

Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: U.S. Army Corps of Engineers, Encinitas and Solana Beach Shoreline Protection Project

Lead Agency: City of Solana Beach and City of Encinitas, California
Contact Person: Wende Protzman
Mailing Address: 635 Souhth Highway 101
Phone: 858-720-2400
City: Solana Beach
Zip: 92075
County: San Diego

Project Location: County: San Diego
City/Nearest Community: City of Solana Beach & Encinitas
Cross Streets: The shorelines in both cities comprise the project site.
Zip Code: 92075
Longitude/Latitude (degrees, minutes and seconds): ____° ____′ ____″ N / ____° ____′ ____″ W Total Acres: ____
Assessor's Parcel No.: Shoreline
Section: ____ Twp.: ____ Range: ____ Base: ____
Within 2 Miles: State Hwy #: 5 and 101
Waterways: Pacific Ocean, San Dieguito and San Elijo Lagoons
Airports: None
Railways: NCTD
Schools: Several schools

Document Type:

CEQA:
- [x] NOP
- [ ] Early Cons
- [ ] Neg Dec
- [ ] Mit Neg Dec
- [ ] Draft EIR
- [ ] Supplement/Subsequent EIR (Prior SCH No.) ____
- Other: ____

NEPA:
- [ ] NOI
- [ ] EA
- [ ] Draft EIS
- [ ] FONSI

Other:
- [x] Joint Document
- [ ] Final Document
- [ ] Other: ____

Local Action Type:

- [ ] General Plan Update
- [ ] General Plan Amendment
- [ ] General Plan Element
- [ ] Community Plan
- [ ] Specific Plan
- [ ] Master Plan
- [ ] Planned Unit Development
- [ ] Site Plan
- [ ] Rezone
- [ ] Prezone
- [ ] Use Permit
- [ ] Land Division (Subdivision, etc.)
- [ ] Annexation
- [ ] Redevelopment
- [x] Coastal Permit
- [ ] Other: ____

Development Type:

- [ ] Residential: Units ____ Acres ____
- [ ] Office: Sq.ft. ____ Acres ____ Employees ____
- [ ] Commercial: Sq.ft. ____ Acres ____ Employees ____
- [ ] Industrial: Sq.ft. ____ Acres ____ Employees ____
- [ ] Educational: ____
- [x] Recreational: Public beach - recreational enhancement
- [ ] Water Facilities: Type ____ MGD ____
- [ ] Transportation: Type ____
- [ ] Mining: Mineral ____
- [ ] Power: Type ____ MW ____
- [ ] Waste Treatment: Type ____ MGD ____
- [ ] Hazardous Waste: Type ____
- [x] Other: This is a shoreline protection project.

Project Issues Discussed in Document:

- [x] Aesthetic/Visual
- [x] Agricultural Land
- [x] Air Quality
- [x] Archeological/Historical
- [x] Biological Resources
- [x] Coastal Zone
- [x] Drainage/Absorption
- [x] Economic/Jobs
- [ ] Fiscal
- [x] Flood Plain/Flooding
- [x] Forest Land/Fire Hazard
- [x] Geologic/Seismic
- [x] Minerals
- [x] Noise
- [x] Population/Housing Balance
- [x] Public Services/Facilities
- [x] Recreation/Parks
- [x] Schools/Universities
- [x] Septic Systems
- [x] Sewer Capacity
- [x] Soil Erosion/Compaction/Grading
- [x] Solid Waste
- [x] Toxic/Hazardous
- [x] Traffic/Circulation
- [x] Vegetation
- [x] Water Quality
- [x] Water Supply/Groundwater
- [x] Wetland/Riparian
- [x] Growth Inducement
- [x] Land Use
- [x] Cumulative Effects
- [ ] Other: ____

Present Land Use/Zoning/General Plan Designation:

The project is a proposed shoreline protection project that would be located on the public beach.

Project Description: *(please use a separate page if necessary)*

The proposed project would involve the restoration of up to 8 miles of shoreline in the cities of Encinitas and Solana Beach. The project is a joint Federal, State and Local government partnership to reduce storm related wave attack and shoreline erosion along the the base of the bluffs and beaches in these cities. The Draft EIR/EIS will evaluate both structural and non-structural approaches to shoreline protection. Sand would be dredged from offshore borrow sites and placed onto the local beaches over a 50-year period beginning in 2015. Other alternatives are anticipated to include notch infills and a no-project alternative.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

X Air Resources Board
X Boating & Waterways, Department of
___ California Emergency Management Agency
___ California Highway Patrol
___ Caltrans District # ___
___ Caltrans Division of Aeronautics
___ Caltrans Planning
___ Central Valley Flood Protection Board
___ Coachella Valley Mtns. Conservancy
X Coastal Commission
___ Colorado River Board
___ Conservation, Department of
___ Corrections, Department of
___ Delta Protection Commission
___ Education, Department of
___ Energy Commission
X Fish & Game Region # S.C.
___ Food & Agriculture, Department of
___ Forestry and Fire Protection, Department of
___ General Services, Department of
___ Health Services, Department of
___ Housing & Community Development
___ Native American Heritage Commission

___ Office of Historic Preservation
___ Office of Public School Construction
X Parks & Recreation, Department of
___ Pesticide Regulation, Department of
___ Public Utilities Commission
X Regional WQCB # 9
X Resources Agency
___ Resources Recycling and Recovery, Department of
___ S.F. Bay Conservation & Development Comm.
___ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
___ San Joaquin River Conservancy
___ Santa Monica Mtns. Conservancy
X State Lands Commission
___ SWRCB: Clean Water Grants
___ SWRCB: Water Quality
___ SWRCB: Water Rights
___ Tahoe Regional Planning Agency
___ Toxic Substances Control, Department of
___ Water Resources, Department of

___ Other: ___
___ Other: ___

Local Public Review Period (to be filled in by lead agency)

Starting Date April 20, 2012 Ending Date May 21, 2012

Lead Agency (Complete if applicable):

Consulting Firm: NA
Address:
City/State/Zip:
Contact:
Phone:

Applicant: Cities of Solana Beach & Encinitas, CA & USACE
Address: 635 South Highway 101
City/State/Zip: Solana Beach, CA. 92075
Phone: 858-720-2400

Signature of Lead Agency Representative: Catherine Lorbeer for Wendé Protzman **Date:** 4/18/12

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

RECEIVED
APR 23 2012
Planning-Comm Dev Dept
City of Solana Beach

Notice of Preparation

April 19, 2012

To: Reviewing Agencies

Re: U.S. Army Corps of Engineers, Encinitas and Solana Beach Shoreline Protection Project
SCH# 2012041051

Attached for your review and comment is the Notice of Preparation (NOP) for the U.S. Army Corps of Engineers, Encinitas and Solana Beach Shoreline Protection Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Wende Protzman
City of Solana Beach
635 South Highway 101
Solano Beach, CA 92075

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2012041051
Project Title U.S. Army Corps of Engineers, Encinitas and Solana Beach Shoreline Protection Project
Lead Agency Solana Beach, City of

Type NOP Notice of Preparation

Description Note: Joint Document.

The proposed project would involve the restoration of up to 8 miles of shoreline in the cities of Encinitas and Solana Beach. The project is a joint Federal, State and Local government partnership to reduce storm related wave attack and shoreline erosion along the base of the bluffs and beaches in the cities. The Draft EIR/EIS will evaluate both structural and non-structural approaches to shoreline protection. Sand would be dredged from offshore borrow sites and placed onto the local breaches over a 50 year period beginning in 2015. Other alternatives are anticipated to include notch infills and a no-project alternative.

Lead Agency Contact

Name Wende Protzman
Agency City of Solana Beach
Phone (858) 720-2400 **Fax**
email
Address 635 South Highway 101
City Solano Beach **State** CA **Zip** 92075

Project Location

County San Diego
City Solana Beach, Encinitas
Region
Cross Streets Shorelines in both cities comprise the project site.
Lat / Long
Parcel No. Shoreline
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 5 & 101
Airports No
Railways NCTD
Waterways Pacific Ocean, San Dieguito and San Elijo Lagoons
Schools several
Land Use Public Beach

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects; Growth Inducing

Reviewing Agencies Resources Agency; California Coastal Commission; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Caltrans, District 11; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 9

Note: Blanks in data fields result from insufficient information provided by lead agency.

Document Details Report
State Clearinghouse Data Base

Date Received 04/19/2012 ***Start of Review*** 04/19/2012 ***End of Review*** 05/18/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List

County: San Diego

SCH# 2012041051

Resources Agency

- [x] Resources Agency
  Nadell Gayou
- [ ] Dept. of Boating & Waterways
  Nicole Wong
- [x] California Coastal Commission
  Elizabeth A. Fuchs
- [ ] Colorado River Board
  Gerald R. Zimmerman
- [ ] Dept. of Conservation
  Elizabeth Carpenter
- [ ] California Energy Commission
  Eric Knight
- [ ] Cal Fire
  Allen Robertson
- [ ] Central Valley Flood Protection Board
  James Herota
- [x] Office of Historic Preservation
  Ron Parsons
- [x] Dept of Parks & Recreation
  Environmental Stewardship Section
- [ ] California Department of Resources, Recycling & Recovery
  Sue O'Leary
- [ ] S.F. Bay Conservation & Dev't. Comm.
  Steve McAdam
- [x] Dept. of Water Resources Resources Agency
  Nadell Gayou

Fish and Game

- [ ] Depart. of Fish & Game
  Scott Flint
  Environmental Services Division
- [ ] Fish & Game Region 1
  Donald Koch
- [ ] Fish & Game Region 1E
  Laurie Harnsberger
- [ ] Fish & Game Region 2
  Jeff Drongesen
- [ ] Fish & Game Region 3
  Charles Armor
- [ ] Fish & Game Region 4
  Julie Vance
- [x] Fish & Game Region 5
  Leslie Newton-Reed
  Habitat Conservation Program
- [ ] Fish & Game Region 6
  Gabrina Gatchel
  Habitat Conservation Program
- [ ] Fish & Game Region 6 I/M
  Brad Henderson
  Inyo/Mono, Habitat Conservation Program
- [ ] Dept. of Fish & Game M
  George Isaac
  Marine Region

Other Departments

- [ ] Food & Agriculture
  Sandra Schubert
  Dept. of Food and Agriculture
- [ ] Depart. of General Services
  Public School Construction
- [ ] Dept. of General Services
  Anna Garbeff
  Environmental Services Section
- [ ] Dept. of Public Health
  Bridgette Binning
  Dept. of Health/Drinking Water
- [ ] Delta Stewardship Council
  Kevan Samsam

Independent Commissions,Boards

- [ ] Delta Protection Commission
  Michael Machado
- [ ] Cal EMA (Emergency Management Agency)
  Dennis Castrillo
- [x] Native American Heritage Comm.
  Debbie Treadway
- [ ] Public Utilities Commission
  Leo Wong
- [ ] Santa Monica Bay Restoration
  Guangyu Wang
- [x] State Lands Commission
  Jennifer Deleong
- [ ] Tahoe Regional Planning Agency (TRPA)
  Cherry Jacques

Business, Trans & Housing

- [ ] Caltrans - Division of Aeronautics
  Philip Crimmins
- [ ] Caltrans - Planning
  Terri Pencovic
- [x] California Highway Patrol
  Suzann Ikeuchi
  Office of Special Projects
- [ ] Housing & Community Development
  CEQA Coordinator
  Housing Policy Division

Dept. of Transportation

- [ ] Caltrans, District 1
  Rex Jackman
- [ ] Caltrans, District 2
  Marcelino Gonzalez
- [ ] Caltrans, District 3
  Bruce de Terra
- [ ] Caltrans, District 4
  Lisa Carboni
- [ ] Caltrans, District 5
  David Murray
- [ ] Caltrans, District 6
  Michael Navarro
- [ ] Caltrans, District 7
  Dianna Watson
- [ ] Caltrans, District 8
  Dan Kopulsky
- [ ] Caltrans, District 9
  Gayle Rosander
- [ ] Caltrans, District 10
  Tom Dumas
- [x] Caltrans, District 11
  Jacob Armstrong
- [ ] Caltrans, District 12
  Marlon Regisford

Cal EPA

Air Resources Board

- [ ] Airport/Energy Projects
  Jim Lerner
- [ ] Transportation Projects
  Douglas Ito
- [ ] Industrial Projects
  Mike Tollstrup
- [ ] State Water Resources Control Board
  Regional Programs Unit
  Division of Financial Assistance
- [ ] State Water Resources Control Board
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] State Water Resouces Control Board
  Phil Crader
  Division of Water Rights
- [x] Dept. of Toxic Substances Control
  CEQA Tracking Center
- [ ] Department of Pesticide Regulation
  CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- [ ] RWQCB 1
  Cathleen Hudson
  North Coast Region (1)
- [ ] RWQCB 2
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] RWQCB 3
  Central Coast Region (3)
- [ ] RWQCB 4
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] RWQCB 5S
  Central Valley Region (5)
- [ ] RWQCB 5F
  Central Valley Region (5)
  Fresno Branch Office
- [ ] RWQCB 5R
  Central Valley Region (5)
  Redding Branch Office
- [ ] RWQCB 6
  Lahontan Region (6)
- [ ] RWQCB 6V
  Lahontan Region (6)
  Victorville Branch Office
- [ ] RWQCB 7
  Colorado River Basin Region (7)
- [ ] RWQCB 8
  Santa Ana Region (8)
- [x] RWQCB 9
  San Diego Region (9)

- [ ] Other _____

- [ ] _____
  Conservancy

Last Updated 2/29/2012

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

REPLY TO
ATTENTION OF

April 9, 2012

Office of the
District Commander

Brenda S. Bowen
Army Federal Register Liaison Officer
US Army Records Management & Declassification Agency
(AAHS-RDR-C)
Casey Building, Room 102
7701 Telegraph Road
Alexandria, Virginia 22315-3860

Dear Ms. Bowen:

The enclosed Notice of Intent to prepare an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Encinitas and Solana Beach Shoreline Protection Project, San Diego County, California is submitted to your office for review and publication in the Federal Register in compliance with the Council of Environmental Quality final regulations implementing the procedural provisions of the National Environmental Policy Act of 1969, as amended. We are submitting three signed copies of the Notice of Intent to prepare an EIS/EIR for the Encinitas and Solana Beach Shoreline Protection Project, San Diego County, California. Please arrange for publication on April 20, 2012.

Sincerely,

Steven B. Sigloch, Jr.
Lieutenant Colonel, US Army
Acting Commander and Acting District Engineer

Enclosure

BILLING CODE: 3720-58

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Intent to Prepare an Environmental Impact Statement/Environmental Impact Report for the Encinitas and Solana Beach Shoreline Protection Project, San Diego County, CA

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DOD.

ACTION: Notice of Intent.

SUMMARY: The Los Angeles District intends to prepare an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) to support a cost-shared feasibility study with the Cities of Encinitas and Solana Beach, CA, for shoreline protection along the coastline of these two cities. The purpose of the feasibility study is to evaluate alternatives for reducing shoreline erosion. The EIS/EIR will analyze potential impacts of the recommended plan and a range of alternatives for shoreline protection. Alternatives will include both structural and non-structural measures.

ADDRESSES: You may also submit your concerns in writing to the city or the Los Angeles District at the address below. Comments, suggestions, and requests to be placed on the mailing list for announcements should be sent to Larry Smith, U.S. Army Corps of Engineers, Los Angeles District, P.O. Box 532711, Los Angeles, CA 90053–2325, or e-mail to *lawrence.j.smith@usace.army.mil*.

FOR FURTHER INFORMATION CONTACT: For further information contact Mr. Larry Smith, Project Environmental Coordinator, (213) 452-3846, or Ms. Susie Ming, Project Manager, (213) 452-3789.

SUPPLEMENTARY INFORMATION: Authorization: House Public Works Transportation Committee Resolution dated May 13, 1993. The Army Corps of Engineers intends to prepare an EIS/EIR to assess the environmental effects associated with proposed erosion mitigating measures in the study area.

Study Area: The study area is located along the Pacific Ocean coastline in the Cities of Encinitas and Solana Beach, San Diego County, CA. Encinitas is approximately 10 miles south of Oceanside Harbor, and 17 miles north of Point La Jolla. The City of Encinitas' shoreline, about 6 miles long, is bounded by Batiquitos Lagoon to the north and on the south by San Elijo Lagoon. The City of Solana Beach is bounded by San Elijo Lagoon to the north and on the south by the City of Del Mar. The City's shoreline is about 2 miles long for a total of about 8 miles of study area shoreline. A major portion of the shoreline segment consists of narrow sand and cobble beaches fronting nearshore bluffs. A small stretch of beach west of the San Elijo Lagoon is backed by Highway 101 (Pacific Coast Highway) and is the only segment of the beach not backed by coastal bluffs.

Problems and Needs: A number of public concerns have been identified including:

1. Bluff erosion threatens property, including state and city owned lands, roads, railroads and infrastructure, as well as private residences atop the bluffs.

2. Public safety due to episodic bluff failure.

3. Closure of Old Highway 101 at Cardiff during storm events.

4. Bluff toe erosion and curtailed recreation activity resulting from eroded beach conditions.

Proposed Action and Alternatives: The Los Angeles District will investigate and evaluate all reasonable alternatives to address the problems and needs identified above. In addition to the NO ACTION alternative, both structural (breakwaters, artificial reefs, groins, revetments, notch fills, and seawalls) and non-structural (best management practices, and beach nourishment) measures will be investigated.

Previous Actions: The Los Angeles District originally published a Notice of Intent for this project in the Federal Register on September 20, 2001. A Notice of Availability of the Draft EIS/EIR was published in the Federal Register on December 2, 2005. The project was modified following receipt of comments on the original Draft EIS/EIR. The modified project is the subject of this Notice of Intent.

Scoping: The scoping process is ongoing and has involved preliminary coordination with Federal, State, and local agencies. Two public scoping meetings are scheduled. The first on May 2, 2012, from 1:00 to 3:00 pm at City Hall, Poinsettia Room, 505 South Vulcan Avenue, Encinitas. CA. The second on May 2, 2012, from 6:00 to 8:00 pm at the Solana Beach City Hall, City Council Chamber, 635 South Highway 101, Solana Beach, CA. The public will have an opportunity to express opinions and raise any issues relating to the scope of the Feasibility Study and the EIS/EIR. The public as well as Federal, State, and local agencies are encouraged to participate by submitting data, information, and comments identifying relevant environmental and socioeconomic issues to be addressed in the study. Useful information includes other environmental

studies, published and unpublished data, alternatives that could be addressed in the analysis, and potential mitigation measures associated with the proposed action. All comments enter into the public record. The scoping meetings will also serve as scoping meetings for the purposes of compliance with the California Environmental Quality Act (CEQA).

Availability of the Draft EIS/EIR: The Draft EIS/EIR is scheduled to be published and circulated in November, 2012, and a public hearing to receive comments on the Draft EIS/EIR will be held after it is published.

9 APR 2012
Date

Steven B. Sigloch, Jr.
Lieutenant Colonel, US Army
Acting Commander and Acting District Engineer

million cubic yards of dredged material resulting from the channel modification.

DATES: The Corps will hold a public hearing to receive comments on the DEIS. The public hearing will be held May 10, 2012, 6 p.m., Grand Magnolia Ballroom, 3604 Magnolia Street, Pascagoula, Mississippi.

Written comments on the DEIS must be received no later than May 29, 2012.

Additional Information on how to submit comments is included in the (**SUPPLEMENTARY INFORMATION**) section.

FOR FURTHER INFORMATION CONTACT: Written and emailed comments to the Corps will be received until May 29, 2012. Correspondence concerning this Public Hearing should refer to Public Notice Number SAM–2011–00389–PAH and should be directed to the U.S. Army Engineer District, RD–C–M Attention: Mr. Philip Hegji, Post Office Box 2288, Mobile, Alabama 36628–0001, via email at *philip.a.hegji@usace.army.mil* or by phone at (251) 690–3222. We encourage any additional comments from interested public, agencies and local officials. For additional information about our Regulatory Program, please visit our web site at: *www.sam.usace.army.mil/rd/reg/.*

SUPPLEMENTARY INFORMATION: Availability of the Draft EIS: The DEIS will be made available to the public April 13, 2012. The public hearing will be held May 10, 2012, during the 45-day public comment period for the DEIS.

On April 6, 2011, the Jackson County Port Authority (JCPA) submitted an application to the U.S. Army Corps of Engineers (Corps), Mobile District, Mississippi Department of Environmental Quality (MDEQ) and the Mississippi Department of Marine Resources (MDMR) for authorization to impact wetlands and other waters of the United States associated with the proposed widening of the Pascagoula Lower Sound/Bayou Casotte Channel (the proposed project), Jackson County. The proposed project is located in the Pascagoula Lower Sound/Bayou Casotte, Pascagoula, Jackson County, Mississippi (Latitude 30.365° North, Longitude 88.556° West).

The Corps prepared a Draft Environmental Impact Statement (DEIS) to assess the potential environmental impacts associated with the proposed project. The proposed project is the dredging of approximately 38,200 feet (7.2 miles) of the existing Pascagoula Lower Sound/Bayou Casotte Channel segment to widen the channel from the Federally authorized width of 350 feet and depth of −42 feet mean lower low water (MLLW) (with 2 feet of allowable over-depth and 2 feet of advanced maintenance) to a width of 450 feet, parallel to the existing channel centerline and to the existing Federally authorized depth of −42 feet MLLW. The proposed project would include the placement of approximately 3.35 million cubic yards of dredged material resulting from the channel modification.

The JCPA requested a Department of the Army (DOA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899, Section 103 of the Marine Protection, Research and Sanctuaries Act and Section 404 of the Clean Water Act, including a Section 404(b)(1) analysis to help ensure compliance. The Corps is the lead Federal agency for the preparation of this DEIS in compliance with the requirements of the National Environmental Policy Act (NEPA) and the President's Council on Environmental Quality regulations for implementing NEPA. The National Marine Fisheries Service and the U.S. Coast Guard are cooperating agencies for the preparation of the EIS. This application was advertised by 30-day Public Notice April 15, 2011.

On April 13, 2012, a copy of the DEIS will be available for public review. The DEIS is available to the public at: *www.sam.usace.army.mil/rd/reg.* Hardcopies of the DEIS are available upon request from Mr. Philip A. Hegji, Corps Project Manager (contact information below). This document is being circulated to resource agencies and interested members of the public for a 45-day comment period ending May 29, 2012.

A public hearing will be held at 7 p.m. Thursday, May 10, 2012, at the Grand Magnolia Ballroom at 3604 Magnolia Street, Pascagoula, Mississippi. The public hearing will be held to provide information about the proposed project and to receive public input and comments on the DEIS. The Corps invites full public participation to promote open communication on the issues surrounding the DEIS. In addition, participation by Federal, State, local agencies and other interested organizations is encouraged. Both oral and written statements will be accepted at the hearing. An informal open house will be held from 6 p.m. until 7 p.m. in the Grand Magnolia Ballroom to allow the public the opportunity to become familiar with the proposed project prior to the start of the formal hearing. Displays of the proposed project and associated impacts will be available. Representatives from the JCPA will be present to answer questions concerning the project and Corps representatives will be available to answer questions concerning the Corps regulatory process.

The public hearing will be conducted in English. Those in need of language interpreters should contact the Corps' Public Involvement consultant, Crouch Environmental Services at (713) 868–1043, by Thursday, May 3, 2012.

Any comments received at the hearing will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposed project. All comments will be considered in the final EIS pursuant to NEPA. Comments are also used to help determine the overall public interest of the proposed project. All comments must be received or postmarked by May 29, 2012 (19 days following the public hearing).

Dated: April 5, 2012.

Cindy J. House-Pearson,

Chief, Regulatory Division.

[FR Doc. 2012–9627 Filed 4–19–12; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Intent To Prepare an Environmental Impact Statement/Environmental Impact Report for the Encinitas and Solana Beach Shoreline Protection Project, San Diego County, CA

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DOD.

ACTION: Notice of Intent.

SUMMARY: The Los Angeles District intends to prepare an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) to support a cost-shared feasibility study with the Cities of Encinitas and Solana Beach, CA, for shoreline protection along the coastline of these two cities. The purpose of the feasibility study is to evaluate alternatives for reducing shoreline erosion. The EIS/EIR will analyze potential impacts of the recommended plan and a range of alternatives for shoreline protection. Alternatives will include both structural and non-structural measures.

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FOR FURTHER INFORMATION CONTACT: For further information contact Mr. Larry Smith, Project Environmental

Appendix B

CEQA Scoping Meeting Materials

Shoreline Protection Project EIS/EIR

CEQA Public Scoping Meeting

US Army Corps of Engineers
Los Angeles District

City of Encinitas & City of Solana Beach

May 2, 2012

CEQA Public Scoping Meetings

Public scoping meetings are scheduled in both the City of Encinitas and the City of Solana Beach.

Encinitas City Hall, Poinsettia Room

May 2, 2012

1:00 PM to 3:00 PM

Solana Beach City Hall, City Council Chambers

May 2, 2012

6:00 PM to 8:00 PM

CEQA Public Scoping Meeting Agenda

- Welcome and Introductions
- Project History
- Project Description
- Purpose of the meeting and Scoping process
- CEQA Process Overview
- Questions and Public Input Session
- Adjourn

Introductions

- U.S. Army Corps of Engineers
  - Josephine Axt, Chief, Planning Division
  - Susie Ming, Project Manager
  - Larry Smith, Environmental Coordinator
- City Staff
  - Jim Bond, Encinitas Councilmember
  - Joe Kellejian, Mayor of Solana Beach
  - David Ott, City Manager, Solana Beach
  - Kathy Weldon, Project Manager, Encinitas
  - Leslea Meyerhoff, Project Manager, Solana Beach
- Environmental Consulting Team Leaders
  - Matthew Valerio, AECOM
  - Lawrence Honma, Merkel & Associates
  - David Cannon, Everest International Consultants
  - Jeff Harvey, Ph.D., Harvey-Meyerhoff Consulting Group

US Army Corps of Engineers
Los Angeles District

Purpose of This Meeting

- Provide information on the Proposed Project
- Provide information about the CEQA process
- Discuss CEQA requirements for Scoping
- Solicit input from citizens and public agencies
- Based upon comments - determine scope of analyses and issues considered in EIS/EIR

What is Project Scoping?

- Scoping is the process of obtaining input from the public and agencies on the scope and content of the environmental document
- Issuance of the Notice of Preparation (NOP) and related federal Notice of Intent (NOI) formally initiates the public scoping and public involvement process
- Coordination with governmental agencies has been ongoing for several years

Project History

- In 2005, the USACE and the Cities issued a Draft EIS/EIR for the Encinitas-Solana Beach Shoreline Project
- Previous Draft EIS/EIR was never finalized
- The project description and range of alternatives has been modified since 2005
- Changes to the project and the lapse of time that has since occurred has prompted the Lead Agencies to prepare a new Draft EIS/EIR
- New project and CEQA process requires that a public scoping meeting be conducted.

Project Purpose & Development

- Storm damage reduction & shoreline protection
- Avoid piecemeal seawall construction along entire coast
- Project alternatives must provide justified economic benefit for federal involvement
- Similar construction methods to SANDAG RBSP I and II
- USACE project is larger scale and longer term

Project Goals and Objectives

- To protect public property and reduce storm related damages to residential, commercial, and public facilities along the bluffs and shoreline.
- To address public safety concerns associated with bluff failures.
- To enhance recreational opportunities and biological resource value associated with the beach.
- To preserve and protect environmental resources along the shoreline.

Environmental Process

- Cities of Encinitas and Solana Beach are Co-Lead Agencies under the California Environmental Quality Act (CEQA).
- The United States Army Corps of Engineers (USACE) is the Lead Agency under the National Environmental Policy Act (NEPA).
- Cities and USACE will prepare a joint Feasibility Study and Environmental Impact Statement (EIS) / Environmental Impact Report (EIR)
- The purpose of the EIS/EIR is to evaluate options for reducing beach and shoreline erosion and assess potential effects over a 50-year period from 2015 through 2065.

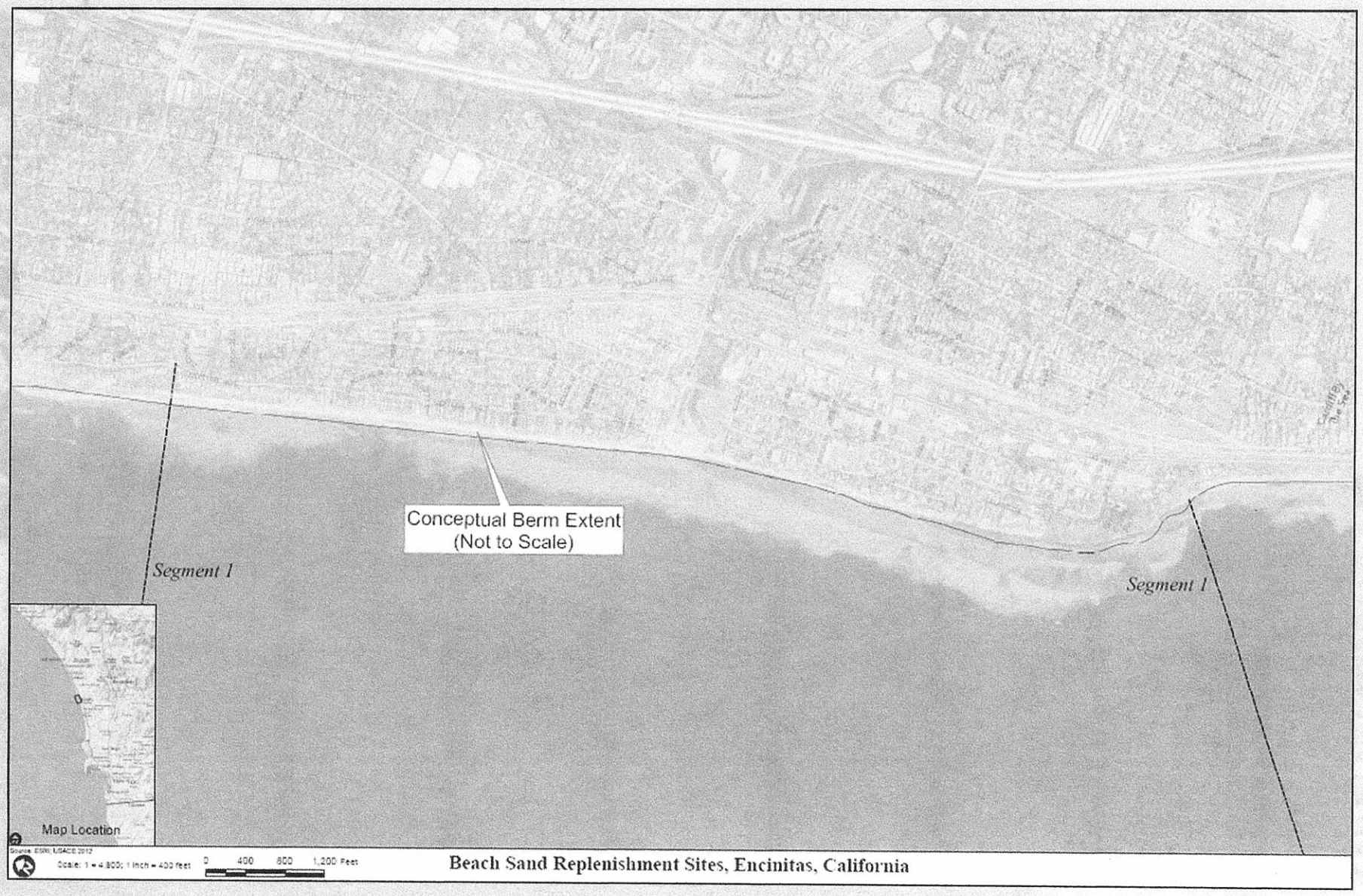
Overview of Project Description

- Project study area is divided into two segments.
- Segment 1 is located within the City of Encinitas
  - Project would extend from the South of Beacon's Beach to Boneyards and is approximately 2.0 miles long.
- Segment 2 encompasses the entirety of the City of Solana Beach.
  - Project would extend from Tide Park Beach south to the southern City limits and is approximately 1.7 miles long.

Encinitas: Project Description

- Use of offshore sand deposits (borrow sites)
- Approximate initial placement volumes currently being considered range from 600,000 cubic yards (cy) to 800,000 cy
- 50 year project life (2015-2065)
- Periodic renourishment with lower incremental volumes of sand
- Maintain long term protection of the shoreline
- Adaptive management to address potential sea level changes

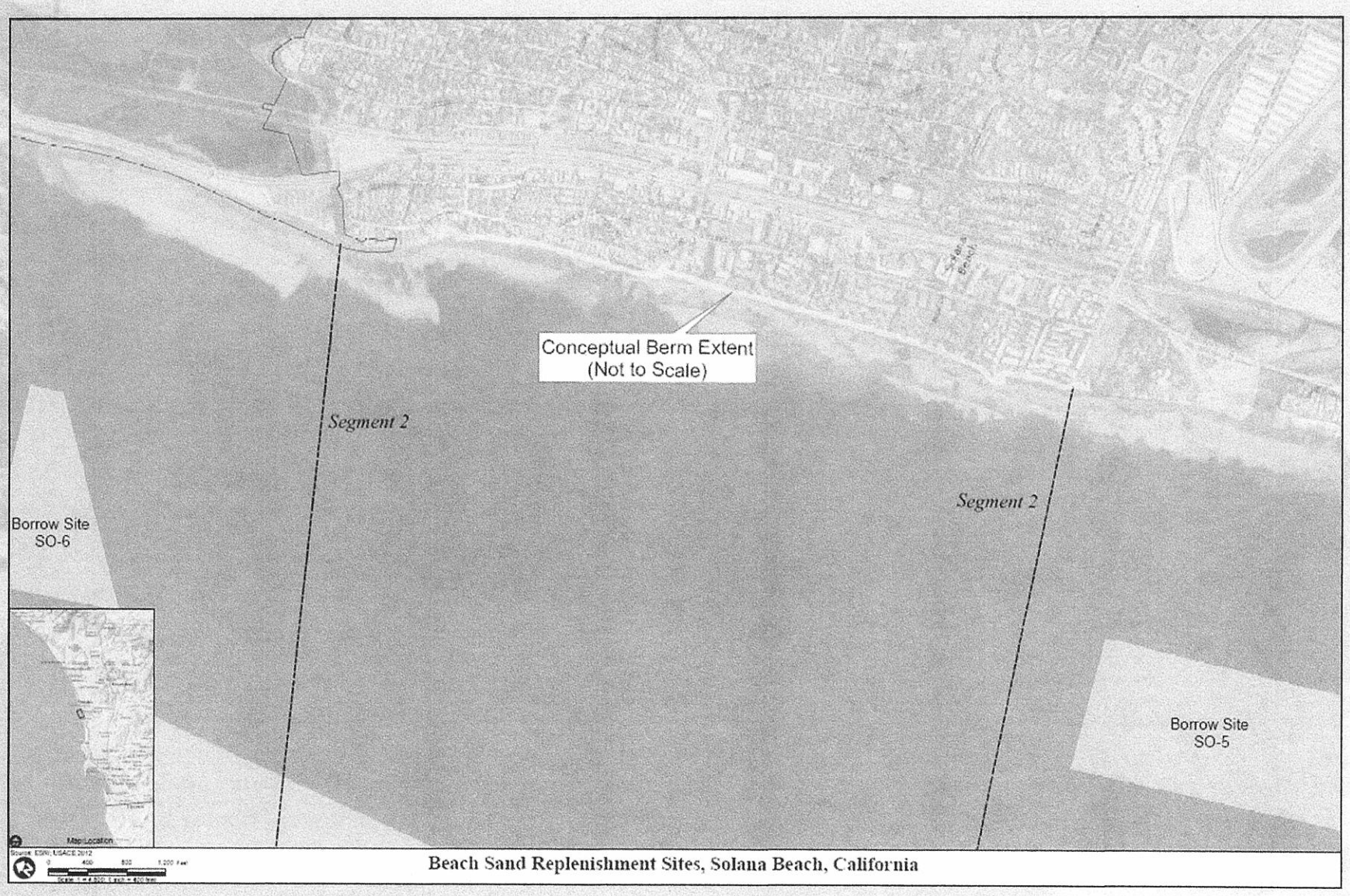
Encinitas: Project Location Area



Solana Beach: Project Description

- Use of offshore sand deposits (borrow sites)
- Approximate initial placement volumes currently being considered range from 440,000 cy to 1,700,000 cy
- 50 year project life (2015-2065)
- Periodic renourishment with lower incremental volumes of sand
- Maintain long term protection of the shoreline.
- Adaptive management to address potential sea level changes.

Solana Beach: Project Location Map



Beach Sand Replenishment Sites, Solana Beach, California

Potential Alternatives, including the Proposed Project

- The Draft EIS/EIR will consider structural and non-structural approaches to shoreline protection including:
  - Beach-renourishment-only alternatives
  - Hybrid alternatives (beach replenishment and notch fill)
  - No project alternative
  - Managed Retreat
  - Breakwaters
  - Groins
  - Revetment
  - Seawall
  - Bluff base notch fills
- Invite input on other potential alternative approaches

Overview of the
Environmental Review Process

Requirements of the
California Environmental Quality Act
(CEQA)

What is CEQA?

- The California Environmental Quality Act
- Comprehensive State-wide environmental law
- Requires consideration of environmental effects as a part of the decision-making process
- "Full Disclosure" for public information
- Opportunities for Agency and Public review and comment
- Does NOT control decision-making

Environmental Issues To Be Evaluated

- Full range of CEQA and NEPA resource topics
- Sand movement along-shore and cross-shore
- Offshore effects on biological resources
- Recreational resources
- Lagoon sedimentation
- Greenhouse gases
- Sea level rise analysis
- Cumulative effects

Environmental Review Schedule

- NOP and NOI released on April 20, 2012
- 30-day public review and comment period through Monday May 21st
- Scoping Meetings in Encinitas and Solana Beach
- Draft EIS/ EIR will be prepared by USACE and Cities
- Internal USACE review processes June- August 2012
- Draft EIS/EIR anticipated in Fall 2012
- Draft EIS/EIR released for 45-day public review and comment period
- Additional public meetings in Solana Beach and Encinitas
- Final EIS/EIR anticipated in Spring 2013

NOP & Scoping Meeting Comments

- Comments must be submitted in writing
- Comment on scope and content of EIS/EIR
- Comments will be used to inform the EIS/EIR
- Scoping Report will be prepared and included in EIS/EIR
- Comment cards provided today for convenience
  - Fill out and leave them with us or mail them in
  - Send a separate email or mail a comment letter
  - All comments are due by 5pm Monday May 21, 2012

Questions?

Who to Contact for more study-related information:

Leslea Meyerhoff, 760-845-8028 (Solana Beach)

Kathy Weldon, 760- 633-2632 (Encinitas)

Susie Ming, 213-452-3789 (USACE)

Where to Review Project Information and Future Meetings:

- City of Solana Beach, 635 South Highway 101, Solana Beach
- City of Encinitas, 505 S. Vulcan Avenue, Encinitas, CA. 92024
- City website at www.cityofsolana beach.org
- City website at www.ci.encinitas.ca.us

Send your CEQA comments to:

Ms. Leslea Meyerhoff, AICP, Project Manager
635 S. Highway 101, Solana Beach, California 92075
Phone: (858) 720-2446
or by email to LMeyerhoff@cosb.org

OR

Ms. Kathy Weldon, Project Manager
505 S. Vulcan Avenue, Encinitas, California 92024
Phone: (760) 633-2770 or by email to
KWeldon@ci.encinitas.ca.us

Thank You for Attending!

CITY OF ENCINITAS & CITY OF SOLANA BEACH
SHORELINE PROTECTION PROJECT EIS/EIR
PUBLIC SCOPING MEETING
SPEAKER/COMMENT CARD

Name: _____

Address: _____

_____

Date: _____ **Do you wish to speak today?** _____

General Comments: _____

_____

_____

_____

CITY OF SOLANA BEACH, COMMUNITY DEVELOPMENT DEPARTMENT **(PLEASE PRINT)**
635 S. HIGHWAY 101, SOLANA BEACH, CA 92075 **(Additional space on back)**
ATTN: MS. LESLEA MEYERHOFF **Please return written comments to the City by May 21, 2012**
PHONE: (858) 720-2446
EMAIL: LMEYERHOFF@COSB.ORG

CITY OF ENCINITAS & CITY OF SOLANA BEACH
SHORELINE PROTECTION PROJECT EIS/EIR
PUBLIC SCOPING MEETING
SPEAKER/COMMENT CARD

Name: _____

Address: _____

_____

Date: _____ **Do you wish to speak today?** _____

General Comments: _____

_____

_____

_____

CITY OF SOLANA BEACH, COMMUNITY DEVELOPMENT DEPARTMENT **(PLEASE PRINT)**
635 S. HIGHWAY 101, SOLANA BEACH, CA 92075 **(Additional space on back)**
ATTN: MS. LESLEA MEYERHOFF **Please return written comments to the City by May 21, 2012**
PHONE: (858) 720-2446
EMAIL: LMEYERHOFF@COSB.ORG

Comments Continued

Issues considered to be important:

Alternatives:

Mitigation measures

CITY OF SOLANA BEACH, COMMUNITY DEVELOPMENT DEPARTMENT
MS. LESLEA MEYERHOFF, AICP, PROJECT MANAGER - CITY OF SOLANA BEACH
635 S. HIGHWAY 101
SOLANA BEACH, CALIFORNIA 92075
PHONE: (858) 720-2446
EMAIL: LMEYERHOFF@COSB.ORG

Comments Continued

Issues considered to be important:

Alternatives:

Mitigation measures:

CITY OF SOLANA BEACH, COMMUNITY DEVELOPMENT DEPARTMENT
MS. LESLEA MEYERHOFF, AICP, PROJECT MANAGER - CITY OF SOLANA BEACH
635 S. HIGHWAY 101
SOLANA BEACH, CALIFORNIA 92075
PHONE: (858) 720-2446
EMAIL: LMEYERHOFF@COSB.ORG

Appendix C

NOP Comment Letters

From: kent crothers [kent_crothers@yahoo.com]
Sent: Tuesday, April 24, 2012 8:57 PM
To: Leslea Meyerhoff
Subject: Hi

Hi i would like to speak at the meeting on may 2 about this topic. I can not fully support this preparation for the shoreline when the city of Solana Beach can not afford it where is the money going to come from there is better ways to clean our shorelines and I don't feel that the tax payers of solana beach should pay for this at this time when our economics so much in trouble in our state we can not even fix the streets or the sidewalks first. so once again I'm not in favor of what the city of Solana Beach and Encinitas is doing.

thanks much
Kent Crothers
1-619-592-5273

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED
APR 30 2012
Planning-Comm Dev Dept
City of Solana Beach

April 26, 2012

Ms. Wende Protzmann, Project Planner
City of Solana Beach
635 South Highway 101
Solana Beach, CA 92075

Re: SCH#2012041051; Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"U.S. Army Corps of Engineers, Encinitas and Solana Beach Shoreline Protection Project;"** located in the coastal areas about 20 miles north of Downtown San Diego; San Diego County, California.

Dear Ms. Protzmann:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: Native American Cultural Resources **were identified** within the 'area of potential effect (APE).

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you

make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 658-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
San Diego County
April 26, 2012

Barona Group of the Capitan Grande
Edwin Romero, Chairperson
1095 Barona Road Diegueno
Lakeside , CA 92040
sue@barona-nsn.gov
(619) 443-6612
619-443-0681

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grade Road Diegueno/Kumeyaay
Alpine , CA 92001
(619) 445-0385

San Pasqual Band of Mission Indians
Allen E. Lawson, Chairperson
PO Box 365 Diegueno
Valley Center, CA 92082
allenl@sanpasqualband.com
(760) 749-3200
(760) 749-3876 Fax

Jamul Indian Village
Chairperson
P.O. Box 612 Diegueno/Kumeyaay
Jamul , CA 91935
jamulrez@sctdv.net
(619) 669-4785
(619) 669-48178 - Fax

Sycuan Band of the Kumeyaay Nation
Danny Tucker, Chairperson
5459 Sycuan Road Diegueno/Kumeyaay
El Cajon , CA 92019
ssilva@sycuan-nsn.gov
619 445-2613
619 445-1927 Fax

Mesa Grande Band of Mission Indians
Mark Romero, Chairperson
P.O Box 270 Diegueno
Santa Ysabel, CA 92070
mesagrandeband@msn.com
(760) 782-3818
(760) 782-9092 Fax

Viejas Band of Kumeyaay Indians
Anthony R. Pico, Chairperson
PO Box 908 Diegueno/Kumeyaay
Alpine , CA 91903
jrothauff@viejas-nsn.gov
(619) 445-3810
(619) 445-5337 Fax

Kwaaymii Laguna Band of Mission Indians
Carmen Lucas
P.O. Box 775 Diegueno -
Pine Valley , CA 91962
(619) 709-4207

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012041051; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the U.S. Army Corps of Engineers, Encinitas and Solana Beach Shoreline Protection Project;; located in the vicinity of the City of Solana Beach; San Diego County, california.

Native American Contacts
San Diego County
April 26, 2012

Inaja Band of Mission Indians
Rebecca Osuna, Spokesperson
2005 S. Escondido Blvd. Diegueno
Escondido , CA 92025
(760) 737-7628
(760) 747-8568 Fax

San Luis Rey Band of Mission Indians
Cultural Department
1889 Sunset Drive Luiseno
Vista , CA 92081 Cupeno
760-724-8505

760-724-2172 - fax

San Pasqual Band of Indians
Kristie Orosco, Environmental Coordinator
P.O. Box 365 Luiseno
Valley Center, CA 92082 Diegueno
(760) 749-3200
council@sanpasqualtribe.org
(760) 749-3876 Fax

Ipai Nation of Santa Ysabel
Clint Linton, Director of Cultural Resources
P.O. Box 507 Diegueno/Kumeyaay
Santa Ysabel, CA 92070
cjlinton73@aol.com
(760) 803-5694
cjlinton73@aol.com

Ewiiaapaayp Tribal Office
Will Micklin, Executive Director
4054 Willows Road Diegueno/Kumeyaay
Alpine , CA 91901
wmicklin@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

Inter-Tribal Cultural Resource Protection Council
Frank Brown, Coordinator
240 Brown Road Diegueno/Kumeyaay
Alpine , CA 91901
FIREFIGHTER69TFF@AOL.
(619) 884-6437

Ewiiaapaayp Tribal Office
Michael Garcia, Vice Chairperson
4054 Willows Road Diegueno/Kumeyaay
Alpine , CA 91901
michaelg@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

Kumeyaay Cultural Repatriation Committee
Bernice Paipa, Vice Spokesperson
1095 Barona Road Diegueno/Kumeyaay
Lakeside , CA 92040
(619) 478-2113

This list is current only as of the date of this document.

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CITY OF ENCINITAS & CITY OF SOLANA BEACH
SHORELINE PROTECTION PROJECT EIS/EIR
PUBLIC SCOPING MEETING
SPEAKER/COMMENT CARD

Name: Ann Baker

Address: 219 Pacific

Date: 5-2-11 **Do you wish to speak today?** NO

General Comments:

I am 100% behind this project.

CITY OF SOLANA BEACH, COMMUNITY DEVELOPMENT DEPARTMENT
635 S. HIGHWAY 101, SOLANA BEACH, CA 92075
ATTN: MS. LESLEA MEYERHOFF
PHONE: (858) 720-2446
EMAIL: LMEYERHOFF@COSB.ORG

(PLEASE PRINT)
(Additional space on back)
Please return written comments to the City by May 21, 2012

From: Sue Steele [mailto:steele.susan@att.net]
Sent: Friday, May 04, 2012 9:30 AM
To: Katherine Weldon
Subject: EIR/EIS comment

Dear Ms. Weldon,

First of all, let me thank you for continuing to work on this project. I know it has been a long time, but hopefully we are nearing a decision.

Secondly, I support the Proposed Project/Alternative 1. The man made causes for less sand on the beach required additional man made support to get the beaches healthy again. We already know that a wide sandy beach is better for all the critters that make the beach their home. AND a sandy beach is a much better recreational beach. Who wants to stroll a rocky beach, let alone put a towel down and relax? A wide sandy beach makes body surfing and playing in the waves way more fun. Safer too; I can sit on the beach to watch my little ones as they play.

The only alternative that is NOT a good one, is #4 - do nothing. Our beaches deserve better!

Thanks again,

Sue Steele

1300 Neptune

-----Original Message-----
From: Schug, David [mailto:david.schug@urs.com]
Sent: Saturday, May 05, 2012 9:25 AM
To: Katherine Weldon
Subject: USACE Project

Hi Kathy-

I have some comments/questions on the NOP. I'm interested to know if the offshore borrow sites have been identified.

Where should I send my comments?

Also, I would like to be on the Project mailing list.

Hope all is well with you.

Dave Schug
Principal Geologist
URS Corporation
4225 Executive Square, Suite 1600
La Jolla, CA 92037

Telephone 858-812-2784
David.Schug@urs.com

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SURFRIDER FOUNDATION
SAN DIEGO COUNTY CHAPTER

Surfrider Foundation, San Diego County Chapter

P.O. Box 1511
Solana Beach, California 92075
Phone (858) 792-9940 Fax (858) 755-5627

May 15, 2012 ***Delivered via email***

Ms. Leslea Meyerhoff, AICP
Project Manager - City of Solana Beach
635 S. Highway 101
Solana Beach, California 92075

RE: Comments regarding Notice of Preparation: City of Encinitas & City of Solana Beach Shoreline Protection Project

Dear Ms. Meyerhoff,

The Surfrider Foundation is a non-profit, environmental organization dedicated to the protection and enjoyment of the world's oceans, waves and beaches for all people, through a powerful activist network. The Surfrider Foundation has over 50,000 members and 80+ chapters in the United States. Please accept these comments on behalf of the San Diego Chapter of the Surfrider Foundation.

Surfrider San Diego has the following concerns regarding the proposed City of Encinitas & City of Solana Beach Shoreline Protection Project: impacts to surfing, impacts to beach access, impacts from initial and ongoing sand placement and dredging, proper modeling and monitoring of crosshore and longshore sediment transport including but not limited to its impacts to surfing resources, visual impacts and cumulative impacts. All of these concerns need to be addressed in the upcoming Environmental Impact Report/Statement (EIR/EIS). In addition, we are concerned with project alternative descriptions and the proposed 4 alternatives that will be studied. We feel an adequate description of a viable Managed Retreat alternative is lacking.We additionally question the ability of the project EIR lead to objectively evaluate a Managed Retreat Alternative.

Do not discount the Project Alternatives

We have grave concerns based on your characterization at the scoping meeting of the Managed Retreat Alternative. A Managed Retreat Alternative as you described at the hearing was "Allowing continued erosion and structures presumably falling down." When a member of the public asked you to further clarify with the question posed, "Is that in essence letting my condo fall into the ocean?", you responded, "In concept yes." And then along with your partner Mr. Harvey, both went on to say these would be alternatives discussed yet not likely to be implemented. That studying it did not mean Managed Retreat might happen. Of course the doomsday scenario you outlined in a public forum is not a viable Managed Retreat Alternative and likely one that would be eliminated for various reasons in an impact assessment. It belies the point that you are well aware of feasible Managed Retreat Alternatives.

SURFRIDER FOUNDATION
SAN DIEGO COUNTY CHAPTER

Surfrider Foundation, San Diego County Chapter
P.O. Box 1511
Solana Beach, California 92075
Phone (858) 792-9940 Fax (858) 755-5627

With respect to an Army Corps Project in Solana Beach in particular, a Managed Retreat Alternative involves temporary seawalls and nourishment in combination with an acquisition of property. The funding for property acquisition would come from a combination of Land Lease Fees for use and encroachment on Public Land with seawalls, Army Corps Shore Protection Funding and other Funding Mechanisms as outlined in the LUP Policy 4.36. Acquisition of blufftop property meets the ACOE goals of Shoreline Protection in that the value of threatened structures will be preserved by buying blufftop property and removing structures at fair market value. Additionally, this alternative will create future parkland and preserve beaches in a state better suited for recreation access thus providing economic benefit on that side of the Corps Cost Benefit analysis.

Utilize state of the art physical models

In recent years, most coastal construction projects have relied on the GENEralized model for SImulating Shoreline change (GENESIS). Numerous coastal scientists have objected to its use as a planning tool because it is a deterministic model, and the coastal zone is anything BUT a deterministic system. Given that this is a 50 year project, it is of utmost concern that project planners conduct modeling which includes the following parameters: long-shore transport, cross-shore transport, impacts of tidal flow on long-shore and cross-shore transport, and breaking waves. Additionally, extreme events need to be discussed, as heavy erosion is often associated with extreme events. GENESIS model does not include any of the above parameters, and relies heavily on averaged quantities and ignores storm events.

The ultimate goal of modeling prior to the project is to predict the projects ultimate effect on crosshore and longshore profiles and associated impacts. Predictive modeling of crossshore and longshore transport serves the purpose of determining the viability of sand nourishment alternatives in the goal of shore protection and preserving beach access and recreation.

In order to properly model a beach system, high-resolution bathymetry of the region is needed. Surfrider would like to see frequent updates of bathymetry data obtained with LIDAR surveys before, during and after project construction to adequately characterize the distribution of sediment throughout the system. Additionally, observations of wave height and period and ocean current will improve the use of models. Given the level of coastal expertise in the San Diego region, utilizing the latest technology for coastal observation (radar, lidar, moorings etc) should be a major focus for modeling and project design.

Avoid any impacts to surf spots

We are greatly concerned with possible impacts to the surf resources in the vicinity of the proposed restoration project. Among the surfbreaks potentially impacted in the project area are Grandview, Beacons, Stonesteps, Moonlight, D-St, Boneyards, Swami's, Brown House, Pipes, Trap's Turtles, Barney's, Suckouts, Cardiff Reef, George's, Seaside, Tabletops, Pillbox, Cherry Hill, Rockpile, Secrets, and Rivermouth containing some of the most popular breaks in San Diego County

SURFRIDER FOUNDATION
SAN DIEGO COUNTY CHAPTER

Surfrider Foundation, San Diego County Chapter
P.O. Box 1511
Solana Beach, California 92075
Phone (858) 792-9940 Fax (858) 755-5627

The area has a long history of surf culture surrounding it, and because of its wide spread popularity it contributes significantly to the local economy. Any negative impacts to this surfing and tourism treasure must be avoided. Furthermore, substantial surf spot modeling needs to be conducted in the technical studies for this project to ensure that negative impacts to surfing resources can be avoided. There are feasible modeling technologies based on the Boussinesq model, which can and should be used in the technical reports for this project and impact analysis. FunWave is an example of one of Boussinesq's models that has been applied to surf spots by Dr. Falk Feddersen at Scripps Institution of Oceanography. Given the complexity of modeling sediment transport, this type of modeling is not beyond the scope of an EIR impact analysis. Quasi-static approximations of the individual variable contributions of all these factors are a feasible way to achieve adequate predictive models.

In addition to modeling, a robust surf spot monitoring program is essential to this project. Currently, Surfrider Foundation San Diego chapter is conducting a surf spot monitoring program in conjunction with the SANDAG RBSP II scheduled for Summer 2012. The Surfrider monitoring program consists of video observations of surf spots that are within the area of receiver beaches for the RBSP II project. Surf quality parameters are logged by trained personnel and video is processed for wave height and period using algorithms developed by coastal scientists. Video observation provides a relatively inexpensive method for long term monitoring that should be exploited by this project.

Follow US ACOE guidelines

Previous Shoreline Protection Project studies conducted by the City and ACOE had descriptions of the alternatives and impact analyses that failed to use methods described in the Corps guidelines on sand nourishment in the Coastal Engineering Manual (CEM) See http://publications.usace.army.mil/publications/eng-manuals/EM_1110-2-1100_vol/PartIII/Part_III-Chap_3.pdf, page III-3-28 and page 34 of the PDF. The CEM notation contains descriptions of an intersecting and non-intersecting profile. No analysis of the post nourishment design equilibrium beach profile with the proposed nourished grain size was previously conducted due to cross-shore transport. This analysis is required to determine if the post nourishment morphology is an intersecting or non-intersecting profile. Nonintersecting profiles, for example, would not create wider beaches and may bury more reefs or lower offshore water levels such that surf breaking characteristics are adversely altered. Even worse they will not attain the goal of the proposed alternative to fix the shoreline with nourished sand.

Further, the morphology of North County beaches that have active wave cut terraces (platforms) within the shore base is neglected in determining the final cross-shore distribution of sand. Among the beaches containing wave cut terraces in the project area are Leucadia and Solana Beach. The analysis must consider that wave cut terraces, not just sandy substrate, constitute the underlying bathymetry.

Proper Description of the Geologic and Marine conditions in Solana Beach

Wave Cut Platform Descriptions

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It is suggested to add language to properly describe the geologic setting consistent with the Solana Beach MEIR. Suggested language follows:

> "A series of wave-cut platforms exist off the coast of Solana Beach. A wave-cut platform is formed by the process of cliff erosion via sea level rise acting on the cliff. The beach area is on the modern wave-cut platform. The wave-cut platform has been forming for centuries during the present trend of sea level rise and sea cliff erosion."

From Page 3-7 of the MEIR:

> "Four erosional terraces are recognized in the site vicinity area. The three younger terraces are correlated with the late Pleistocene (120,000 years old) Bay Point Formation, and the oldest terrace is correlated with the late to early Pleistocene (1,180,000 to 120,000 years old) Lindavista Formation (Tan and Kennedy, 1996; Kennedy, 1975). In general, three principal elements are recognized in erosional coastal terraces: a wave-cut platform, an inner edge (shoreline angle), and a seacliff (Figure 3.1-4). A wave-cut platform has a shallow seaward dip of 0.01 to 0.02 feet per foot (Ritter and others, 1995; Group Delta, 1998). The modern wave-cut platform formed as the seacliff retreats stands slightly below water level at the high tide. An inner edge marks the highest sea level maintained during any glacial/interglacial time. The older uplifted platforms are overlain by marine and non-marine terrace deposits. The number and spacing of terraces are determined by the rate of tectonic uplift and the nature of the coastal processes. The marine terrace deposits in the study area are generally correlated with the Bay Point Formation"

Additionally, this area would be useful to add information on future projections of sea level rise.

Historical Evidence of Erosion in Solana Beach

Photographs showing seacaves and notches in Solana Beach in the 1920's are shown in Figure 1.[1] Figure 2 shows notches and ocean front bluff faces devoid of vegetation as compared to adjacent areas where vegetation is evident. Lack of vegetation indicates active erosion. Also evident is wave run-up directly to the base of the bluffs and lack of a wide sandy beach.

[1] In addition, see www.californiacoastline.org for aerial photographs of Solana Beach which demonstrate that numerous seacaves and notches existed in 1972.

The Surfrider Foundation is a non-profit grassroots organization dedicated to the protection and enjoyment of oceans, waves and beaches through a powerful activist network. Founded in 1984 by a handful of visionary surfers in Malibu, California, the Surfrider Foundation now maintains over 50,000 members and 90 chapters worldwide. For an overview of the San Diego Chapter's current programs and events, log on to our website at http://sandiego.surfrider.org/ or contact us at info@surfridersd.org.

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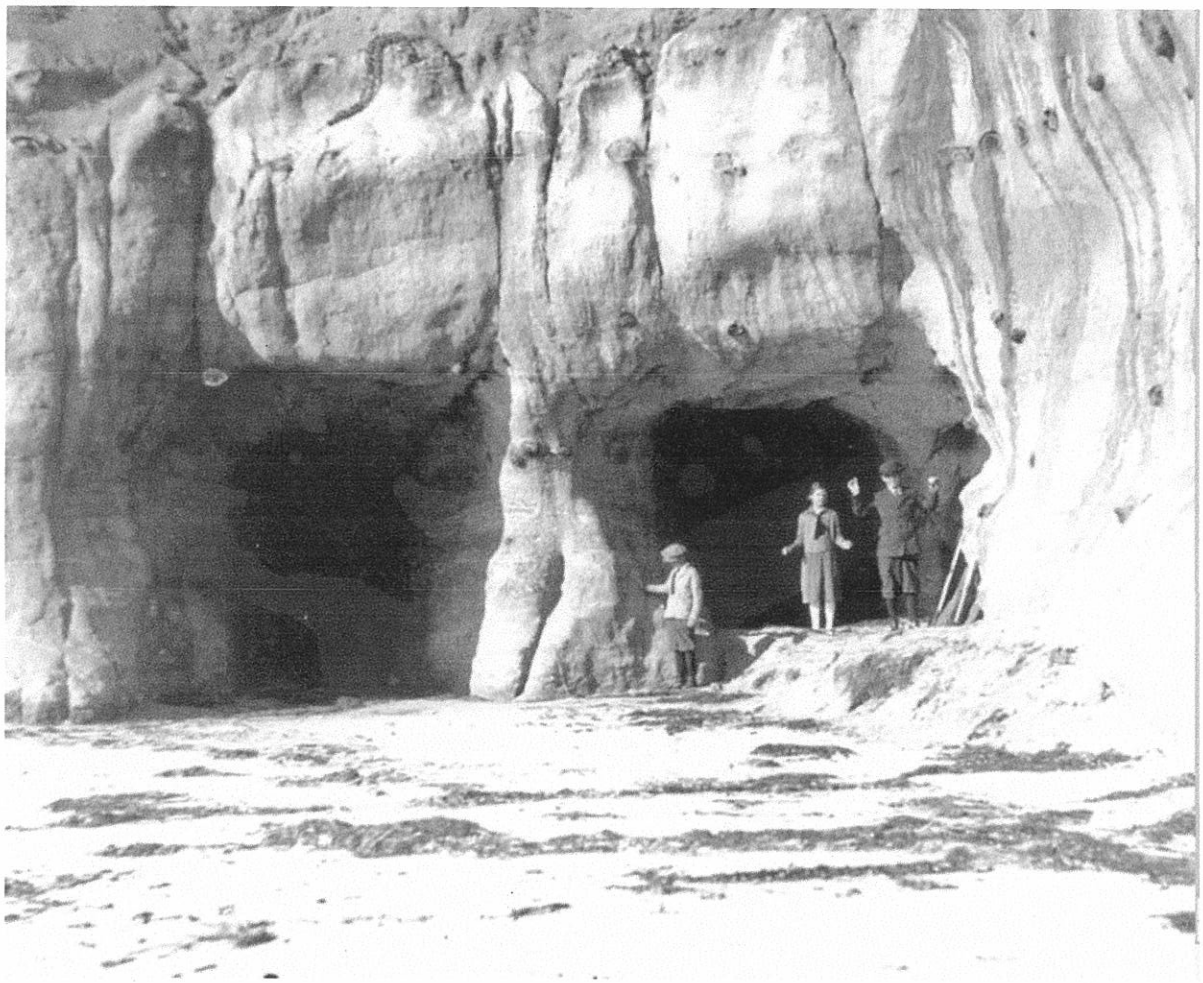
Figure 1 Picture of SeaCaves from Solana Beach Civic and Historical Society website Circa 1924



The Surfrider Foundation is a non-profit grassroots organization dedicated to the protection and enjoyment of oceans, waves and beaches through a powerful activist network. Founded in 1984 by a handful of visionary surfers in Malibu, California, the Surfrider Foundation now maintains over 50,000 members and 90 chapters worldwide. For an overview of the San Diego Chapter's current programs and events, log on to our website at http://sandiego.surfrider.org/ or contact us at info@surfridersd.org.

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Figure 2 Aerial View of Solana Beach in 1920's showing lack of vegetation on bluff face and undercutting. Lack of vegetation indicates active erosion as compared to bluffs around the lagoon of same geologic constitution as those fronting the ocean. Also evident is waverunup directly to the base of the bluffs and lack of a wide sandy beach. Photo from Solana Beach Civic and Historical Society website.

In addition, certain condominium projects south of Fletcher Cove constructed seawalls in the early 1970's to guard against bluff erosion while the construction of the condominiums themselves occurred as shown in[2] Figure 3.

[2] Kuhn, Gerald G., and Francis P. Shepard *Sea Cliffs, Beaches, and Coastal Valleys of San Diego County: Some Amazing Histories and Some Horrifying Implications.* Berkeley: University of California Press, c1984 1984. http://ark.cdlib.org/ark:/13030/ft0h4nb01z/

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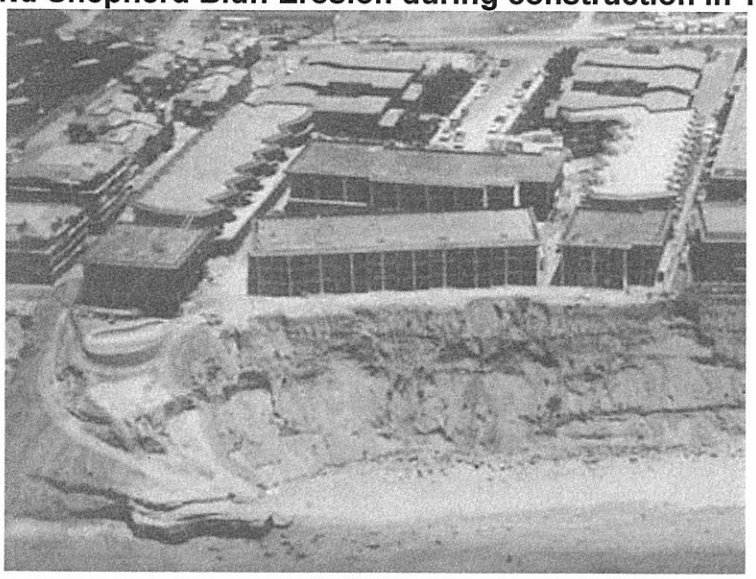
Figure 3 From Kuhn and Shepherd Bluff Erosion during construction in 1974



[Full Size]

Figure 33*b*

View of the same site as that in 33 *a* following development of the bluff top, 1974. Note that the bluff face began eroding during the construction. *Photo:* B and A Engineering.

The City's own General Plan (Section 2.3.1) acknowledges large storm events caused erosion damage in Solana Beach in 1939 and 1940. The erosion characteristics of Solana Beach have been well known and well-understood and consist of an historical erosion process and not a fixed shoreline maintained by sandy beaches.

Sand Deficit in the Baseline Conditions are Overstated and Inaccurate

The NOP states,

> "In the last several decades, the shorelines of both cities have experienced accelerated erosion of the beaches and coastal bluffs. Since the late 1970s and early 1980s, Southern California has experienced a series of unusual weather events, called El Ninos, when compared to the rest of this century. These El Nino storms create substantial erosion of the shoreline. Delivery of sand to the shoreline from rivers has also been significantly reduced

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regionally due to river damming for water storage projects as well as the construction of highways, railroads, and streets and the mining of sand. The cumulative effects of these natural and manmade events has resulted in severe erosion of the once sandy beaches. With the loss of the wide sandy beaches, storm waves directly attack the bluff creating failures of the coastal bluff and jeopardizing the public buildings and infrastructure and private structures located atop the coastal bluffs."

The NOP fails to properly characterize sand deficits and misleads the public on the contribution of sand in maintaining the shoreline in a static position. Recent studies have indicated that the sand input into the Oceanside Littoral Cell has exceeded the natural input when nourishment projects are considered. **Figure 4** shows data from Grandy and Griggs indicating that nourishment projects have kept the sand volume above the natural condition when considering projects from 1950-2002.

Source	Average Natural Inputs (m^3/yr)	Actual Inputs 1950-1979 (m^3/yr)	Actual Inputs 1980-2002 (m^3/yr)
Rivers/Streams	220,000	100,000	100,000
Cliff Erosion	103,000	86,000	86,000
Gullying	20,000	20,000	20,000
Beach Nourishment	0	438,000	260,000
Total:	**343,000**	**644,000**	**466,000**

Table 2. Long-term changes to the sediment budget include reduced sediment from rivers and seacliffs and the addition of sediment from beach nourishment. Beach nourishment was a larger source of sediment during the 1950s-1970s.

Figure 4 Data from Proceedings of Coastal Zone 07, Portland, Oregon, July 22 to 26, 2007, "VARIABILITY OF SEDIMENT SUPPLY TO THE OCEANSIDE LITTORAL CELL", Carla Chenault Grandy, Gary B. Griggs, University of California, Santa Cruz, Earth and Planetary Science Department and Institute of Marine Sciences. This data shows that natural sand volume to the Oceanside Littoral Cell has been exceeded by nourishment projects.

The EIS/EIR should include this information as it is the most recent and relevant information on the subject. The observed beach narrowing is likely caused by the long term sea level rise and natural condition of erosion and sea cliff retreat. Before the cliff collapses episodically, the beach will narrow until the cliff retreats. Long term cliff retreat rates are a function of sea level rise and the density of bluff material among other factors.

Finally, beach nourishment is not the only way to prevent construction of seawalls and other seawalls. In fact, beach nourishment may prove an inappropriate response to sea level rise and other future

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changes to the shoreline. The purpose of the City's LCP is to eventually remove the seawalls and return the bluffs to their natural state, allowing the beach to once again reach equilibrium via a combination of cliff retreat and sand delivery either natural or made to match the natural input.

In addition, once the City owns Bluff Homes, there is no requirement to protect such structure with a seawall. Removal and retreat is the most cost effective option.

Other Points.....

Cumulative Impacts – Seawalls, SANDAG nourishment project, San Elijo Lagoon Restoration.

The EIR must consider the cumulative impacts of seawall and notchfills in the project area and outside the project area on beach access, recreation (including but not limited to surfing), and shoreline sand supply.

The EIR must consider the cumulative impacts of sand replenishment of the RBSP I and II and the San Elijo Lagoon Restoration Project as well as the dredging of Batiquitos Lagoon.

Money Lobbying (Source Lobbying Disclosure Act Database

As previously mentioned, it has come to our attention that Ms. Meyerhoff is a Director of the ASBPA (American Shore and Beach Association). The ASBPA has taken numerous positions in opposition of Managed Retreat and is a staunch advocate of sand replenishment as the preferred solution of shoreline management. ASBPA tends to ignore Managed Retreat as a viable alternative to shoreline management. Managed Retreat is not generally considered by the ASBPA as a way to protect the value of the shoreline. Additionally the ASBPA and the City of Solana Beach share the same lobbyist. This lobbyist, Howard Marlowe, represented the city to obtain funding for the EIR and associated studies. Mr. Marlowe also represented the ASBPA of which Ms. Meyerhoff serves as a board member. It is unclear to us if in her capacity on the ASBPA Board, she is giving direction to Marlowe against Managed Retreat as a viable alternative. The fact that she characterized Managed Retreat as she did at the scoping meeting in Solana Beach underscores the fact that is not one of the 4 chosen alternatives to be studied. It is not clear if she would be able to have developed a viable alternative to pass the initial study point. We would like an immediate accounting provided of how Managed Retreat was eliminated as one of the 4 alternatives.

Below is some information relating to the ASBPA and Ms. Meyerhoff.

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http://soprweb.senate.gov/index.cfm?event=choosefields)

Marlowe and Co. Employed by City and ASBPA (American Shore and Beach Association)

From June 2002 – 2012 Marlowe and Co. received $562,000 From Solana Beach

From June 2002 – 2012 Marlowe and Co. received $794,000 From ASBPA

Leslea Meyerhoff – City Consultant and City Project Lead

Leslea Meyerhoff also listed as Director of ASBPA (Source http://www.asbpa.org/about_us/about_us_officers_bios.htm

Government Affairs Policy of ASBPA (Source http://www.asbpa.org/pdfs/GovtAffAgendaFinal2011.pdf)

"ASBPA favors Federal and state efforts to manage and monitor the nation's scarce supply of sand to maximize benefits to storm damage reduction, environmental protection, and recreation. "
"ASBPA supports increased funding for coastal restoration projects and studies throughout the Nation at an estimated Federal cost of over $450 million for FY 2012 and an overall Corps of Engineers budget of at least $6 billion."

Thank you for your time and consideration.

Sincerely,

Jim Jaffee
Volunteer Advisory Committee
Volunteer Beach Preservation Committee
Surfrider Foundation
San Diego Chapter

The Surfrider Foundation is a non-profit grassroots organization dedicated to the protection and enjoyment of oceans, waves and beaches through a powerful activist network. Founded in 1984 by a handful of visionary surfers in Malibu, California, the Surfrider Foundation now maintains over 50,000 members and 90 chapters worldwide. For an overview of the San Diego Chapter's current programs and events, log on to our website at http://sandiego.surfrider.org/ or contact us at info@surfridersd.org.

From: randypayne@cox.net [randypayne@cox.net]
Sent: Thursday, May 17, 2012 12:54 PM
To: Leslea Meyerhoff
Subject: The Encinitas Shoreline

Hi Leslea,
I was nearly swallowed up by a large collapse 01/24/2008. I still say leave the cliffs and there natural beauty alone.
The real errosion occurs on the upper portions of the bluffs, far above the tideline and provided by wind, rain, and us. It would cheaper to purchase some of the problematic properties than to "shore up" the less intrusive shoreline cliffs.
The upper bluffs will continue to collapse within the man-made walls. Evidence can be easily found by walking north of Moonlight to Grandview.

Thanks, Randy Payne

STATE OF CALIFORNIA EDMUND G. BROWN JR., *Governor*

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

CURTIS L. FOSSUM, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: **(916) 574-1900**
Contact FAX: **(916) 574-1885**

May 18, 2012

File Ref: SCH # 2012041051

Ms. Leslea Meyerhoff
City of Solana Beach
635 S. Highway 101
Solana Beach, CA 92075

Subject: Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) and Draft Environmental Impact Statement (DEIS) for the City of Encinitas and City of Solana Beach Shoreline Protection Project

Dear Ms. Meyerhoff:

The California State Lands Commission (CSLC) staff has reviewed the subject NOP for the DEIR/DEIS for the Shoreline Protection Project (Project), which is being prepared jointly by the City of Encinitas and the City of Solana Beach (Cities), which are co-lead agencies under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The United States Army Corps of Engineers (USACE) is the lead agency under the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. 4321 as amended. The CSLC is a trustee agency because of its trust responsibility for projects that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters. Additionally, because the Project involves work within sovereign lands, the CSLC will act as a responsible agency.

CSLC Jurisdiction and Public Trust Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion

or where the boundary has been fixed by agreement or a court. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

Based on CSLC staff's review of in-house records and maps, as well as information provided in the NOP, the proposed activities may be located on ungranted sovereign lands owned and managed by CSLC. Prior to any beach nourishment and/or placement of structures on sovereign land CSLC staff would require a Mean High Tide Line survey and a lease. The Cities should contact the Public Land Manager listed at the end of this letter as soon as is convenient for further information on determining the extent of the CSLC's jurisdiction and obtaining a lease for the Project.

Project Description

The proposed Project is located along the Pacific Ocean in Encinitas and Solana Beach, San Diego County. Encinitas is approximately 10 miles south of Oceanside Harbor, and 17 miles north of La Jolla. In the last several decades, the shorelines of both cities have experienced accelerated erosion of the beaches and coastal bluffs.

The proposed Project area is divided into two segments. Segment 1 is located within Encinitas and extends from the 700 Block of Neptune Avenue to Swami's Reef and is approximately 2.0 miles long. Segment 2 encompasses the entirety of Solana Beach and stretches from Table Tops Reefs in Encinitas to the southern limit of Solana Beach and is approximately 1.7 miles in length. The proposed Project would include the use of offshore sand deposits (borrow sites) for placement on the beach in Encinitas (Segment 1) and Solana Beach (Segment 2). The beach-fill design parameters have been determined by considering various combinations of beach-fill widths, beach nourishment locations and fill footprints, and different replenishment cycles. Initial placement volumes currently being considered range from 600,000 cubic yards (cy) to 800,000 cy for Encinitas and 700,000 cy to 1,700,000 cy for Solana Beach. The life of the proposed Project would be 50 years during which time periodic re-nourishment with lower incremental volumes of material would occur to maintain protection of the shoreline.

Environmental Review

The CSLC requests that the following potential impacts be analyzed in DEIR/DEIS:

General Comments

1. Project Description: A thorough and complete Project Description should be included in the DEIR/DEIS in order to facilitate meaningful environmental review of potential impacts, mitigation measures, and alternatives. The Project Description should be as precise as possible in describing the details of all allowable activities (e.g., types of equipment or methods that may be used, maximum area of impact or volume of offshore sand removed or disturbed, seasonal work windows, locations of nourishment locations, staging, etc.), as well as the details of the timing and length of activities. Thorough descriptions will facilitate CSLC staff's determination of the

extent and locations of its leasing jurisdiction, make for a more meaningful analysis of the work that may be performed, and minimize the potential for subsequent environmental analysis to be required.

2. Regulatory Setting: As stated above, at least some of the proposed activities appear to be located on sovereign land under the CSLC's jurisdiction and as such, implementation of the Project would require a lease from the CSLC. The DEIR/DEIS should disclose this information in the Regulatory Setting and include a discussion of the CSLC's responsibilities under the Public Trust Doctrine.

Biological Resources

3. Sensitive Species: The DEIR/DEIS should disclose and analyze all potentially significant effects on sensitive species and habitats in and around the Project area, including special-status wildlife, fish, and plants, and if appropriate, identify feasible mitigation measures to reduce those impacts. The Cities and USACE should conduct queries of the California Department of Fish and Game's (DFG) California Natural Diversity Database (CNDDB) and U.S. Fish and Wildlife Service's (USFWS) Special Status Species Database to identify any special-status plant or wildlife species that may occur in the Project area. The DEIR/DEIS should also include a discussion of consultation with the DFG and USFWS, including any recommended mitigation measures and potentially required permits identified by these agencies..

   In addition, the CSLC staff believes marine impacts resulting from dredging and discharging activities may potentially impact marine resources and, therefore, recommends the development and implementation of a Marine Mammal and Turtle Contingency Plan to minimize impacts to marine resources during construction. CSLC staff recommends that the Cities and USACE analyze impacts to marine resources during dredging activities within the marine environment, and provide mitigation for any potentially significant impacts identified.

4. Invasive Species: One of the major stressors in California waterways is introduced species. Therefore, the DEIR/DEIS should consider the Project's potential to encourage the establishment or proliferation of aquatic invasive species (AIS) or other nonindigenous, invasive species including aquatic and terrestrial plants. For example, barges used to transport offshore sand to the beach areas may be brought in from long stays at distant areas and, therefore, may transport new species to the Project area via hull biofouling, wherein marine and aquatic organisms attach to and accumulate on the hull and other submerged parts of a vessel. If the analysis in the DEIR/DEIS finds potentially significant AIS impacts, possible mitigation could include requiring a certain degree of hull-cleaning from contractors. The DFG's Invasive Species Program could assist with this analysis as well as with the development of appropriate mitigation (information at http://www.dfg.ca.gov/invasives/).

5. Construction Noise: The DEIR/DEIS should also evaluate noise and vibration impacts on marine animals and birds from the proposed Project. Mitigation measures could include species-specific work windows as defined by DFG, USFWS, and the National Oceanic and Atmospheric Administration's National Marine

Fisheries Service (NOAA Fisheries). Again, CSLC staff recommends early consultation with these agencies to minimize the impacts of the Project on sensitive species.

Climate Change

6. Greenhouse Gases: A greenhouse gas (GHG) emissions analysis consistent with the California Global Warming Solutions Act (AB 32) and required by the State CEQA Guidelines[1] should be included in the DEIR/DEIS. This analysis should identify a threshold for significance for GHG emissions, calculate the level of GHGs that will be emitted as a result of implementation of the Project, determine the significance of the impacts of those emissions, and, if impacts are significant, identify mitigation measures that would reduce them to less than significant.

7. Sea Level Rise: The DEIR/DEIS should also consider the effects of sea level rise on all resource categories potentially affected by the proposed Project. At its meeting on December 17, 2009, the CSLC approved the recommendations made in a previously requested staff report, "A Report on Sea Level Rise Preparedness" (Report), which assessed the degree to which the CSLC's grantees and lessees have considered the eventual effects of sea level rise on facilities located within the CSLC's jurisdiction (the Report can be found on the CSLC website, www.slc.ca.gov). One of the Report's recommendations directs CSLC staff to consider the effects of sea level rise on hydrology, soils, geology, transportation, recreation, and other resource categories in all environmental determinations associated with CSLC leases. Please note that, when considering lease applications, CSLC staff is directed to (1) request information from applicants concerning the potential effects of sea level rise on their proposed projects, (2) if applicable, require applicants to indicate how they plan to address sea level rise and what adaptation strategies are planned during the projected life of their projects, and (3) where appropriate, recommend project modifications that would eliminate or reduce potentially adverse impacts from sea level rise, including adverse impacts on public access.

Cultural Resources

8. Submerged Resources: The DEIR/DEIS should evaluate potential submerged cultural resources in the Project area borrow sites. The CSLC maintains a shipwrecks database, available at http://shipwrecks.slc.ca.gov, that can assist with this analysis. The database includes known and potential vessels located on the State's tide and submerged lands; however, the locations of many shipwrecks remain unknown. Please note that any submerged archaeological site or submerged historic resource that has remained in state waters for more than 50 years is presumed to be significant.

9. Title to Resources: The DEIR/DEIS should also mention that the title to all abandoned shipwrecks, archaeological sites, and historic or cultural resources on or

[1] The State "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

in the tide and submerged lands of California is vested in the State and under the jurisdiction of the CSLC. The recovery of objects from any submerged archaeological site or shipwreck may require a salvage permit under Public Resources Code section 6309. CSLC staff requests that the Cities/USACE consult with Senior Staff Counsel Pam Griggs at the contact information noted at the end of this letter, should any cultural resources be discovered during implementation of the proposed Project.

Mitigation

10. In order to avoid the improper deferral of mitigation, the DEIR/DEIS should present mitigation measures either as specific, feasible, enforceable obligations, or as formulas containing "performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way" (State CEQA Guidelines §15126.4, subd. (b)).

Thank you for the opportunity to comment on the NOP for the Project. As a responsible agency, the CSLC will need to rely on the Final EIR/EIS for the issuance of any new lease as specified above and, therefore, we request that you consider our comments prior to adoption of the EIR/EIS. Please send additional information on the Project to the CSLC as plans become finalized.

Please send copies of future Project-related documents, including an electronic copy of the Final EIR/EIS, Mitigation Monitoring and Reporting Program (MMRP), Notice of Determination (NOD), CEQA Findings and, if applicable, Statement of Overriding Considerations when they become available, and refer questions concerning environmental review to Cynthia Herzog, Environmental Scientist, at (916) 574-1310 or via e-mail at Cynthia.Herzog@slc.ca.gov.

For questions concerning archaeological or historic resources under CSLC jurisdiction, please contact Senior Staff Counsel Pam Griggs at (916) 574-1854 or via email at Pamela.Griggs@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact Grace Kato, with the Land Management Division, at (916) 574-1227, or via email at Grace.Kato@slc.ca.gov.

Sincerely,

Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
Grace Kato, LMD, CSLC
Cynthia Herzog, DEPM, CSLC

Department of Toxic Substances Control

Matthew Rodriquez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

May 17, 2012

RECEIVED
MAY 18 2012
Planning-Comm Dev Dept
City of Solana Beach

Ms. Wende Protzman
City of Solana Beach
635 South Highway 101
Solana Beach, California 92075

NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL REPORT FOR THE U.S. ARMY CORPS OF ENGINEERS, ENCIITAS AND SOLANA BEACH SHORELINE PROTECTION PROJECT (SCH # 2012041051), SAN DIEGO COUNTY

Dear Ms. Protzman:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of a Draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The Proposed Project would involve the restoration of up to 8 miles of shoreline in the Cities of Encinitas and Solana Beach. The Proposed Project is located along the Pacific Ocean in the Cities of Encinitas and Solana Beach, San Diego County, California. The Proposed Project study area is divided into two segments. Segment 1 is located within the City of Encinitas and extends from the 700 Block of Neptune Avenue to Swami's Reef and is approximately 2.0 miles long. Segment 2 encompasses the entirely of the Solana Beach and stretches from Table Tops Reefs in Encinitas to the southern limit of Solana Beach and is approximately 1.7 miles in length. All the shoreline in the study area consists of narrow sand and cobblestone beaches fronting coastal bluffs. A small stretch of beach west of the San Elijo Lagoon is backed by Highway 101 and is the only segment of the beach not backed by coastal bluffs."

Based on the review of the submitted document DTSC has the following comments:

1) The EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

   - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).

- EnviroStor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).

- EnviroStor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).

- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.

- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.

- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.

- GeoTracker: A List that is maintained by Regional Water Quality Control Boards.

- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.

- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site within the proposed Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.

3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at rahmed@dtsc.ca.gov, or by phone at (714) 484-5491.

Sincerely,

Rafiq Ahmed
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
Attn: Nancy Ritter
nritter@dtsc.ca.gov

CEQA # 3525

From: sdmack1961@aol.com [sdmack1961@aol.com]
Sent: Monday, May 21, 2012 1:58 PM
To: Leslea Meyerhoff
Subject: NOP--Shoreline Protection Project

May 21, 2012

Ms. Leslea Meyerhoff, AICP
Project Manager-City of Solana Beach
635 S. Highway 101
Solana Beach, CA 92075

Ms. Meyerhoff:

Thank you so much for your May 2, 2012 presentation on the Shoreline Protection Project. Having a home at 141 Pacific Avenue, I am very interested in moving forward with sand replenishment. I would like to see Alternative 2 implemented (the Beach Nourishment with Engineered Notch Infills) and at the very least see Aternative 1 (Proposed Project-sand replenishment). I think if we could get sand replenishment with artificial reefs to protect the sandy beaches and bluffs, our problems could be solved. If we could engineer the artificial reefs to provide great waves for surfing, as I hear they have been doing in Australia, so much the better. We all know that the majority of sand to our beaches was provided by rivers that have since been affected by various inland development projects and ocean jetties. This is our chance to replace what naturally would be there. GOT SAND!! Well now we could have it. Wouldn't any affects of sand replenishment have occurred naturally if having been allowed to do so? I don't see how anyone could be against this. This doesn't just benefit the bluff top owners but also the city, in that, it is the biggest bluff top owner with good reason to protect Fletcher Cove with its Lifeguard station and Community Center. And immediate areas would benefit such as Seaside, PCH, restaurant row on PCH, Cardiff Reef, and the stretch of bluff from San Elijo Campground to Swamis. I would love to see this project move forward.

Thank you for all your hard work as well as the Mayor and City Council member's efforts to restore the natural beauty to our beaches.

Scott MacKinnon

From: Steve Aceti (steveaceti@calcoast.org)
To: kweldon@ci.encinitas.ca.us;
Date: Mon, May 21, 2012 4:30:57 PM
Cc: susan.m.ming@usace.army.mil; Leslea.Meyerhoff@att.net;
Subject: Questions re NOP for Encinitas/Solana Beach Feasibility Study

Hi Kathy,

I want to thank the city, you, Susie and USACE staff, as well as all the consultants for working so hard on the Encinitas/Solana Beach Shoreline Protection Project Feasibility Study ("Feasibility Study"). This is a much-needed project and it is timed-well to follow SANDAG's Regional Beach Sand Project II.

Where will sand for the Encinitas Shoreline Protection Project be dredged from (which offshore borrow site)?

Will any sand be placed directly onshore in the Swami's State Marine Conservation Area (SMCA)? If so, how many cubic yards of sand will be deposited in the SMCA and at which location(s)?

Have any regulatory agencies requested that the city and/or the USACE agree to perform mitigation before a permit or permits for beach nourishment in the SMCA are issued and, if so, (a) which agencies are requesting mitigation; (b) what is the nature and extent of the mitigation being requested; and (c) what is the estimated cost of the mitigation being requested?

Steve

Steven Aceti, JD
Executive Director
California Coastal Coalition (CalCoast)
1133 Second Street, Suite G
Encinitas, CA 92024

(760) 944-3564
(760) 612-3564 cell
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steveaceti@calcoast.org
www.calcoast.org

The California Coastal Coalition (CalCoast), is a non-profit advocacy group comprised of 35 coastal cities; five counties; SANDAG, BEACON and SCAG; private sector partners and NGO's, committed to protecting and restoring California's coastline through beach sand restoration, increasing the flow of natural sediment, wetlands recovery, improved water quality, watershed management and the reduction of marine debris and plastic pollution.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

May 8, 2012

Larry Smith
U.S. Army Corps of Engineers
Los Angeles District
P.O. Box 532711
Los Angeles, CA 90053-2325

Subject: Notice of Intent (NOI) to prepare a Draft Environmental Impact Statement for the Encinitas and Solana Beach Shoreline Protection Project, San Diego County, CA (CEQ# 20050350).

Dear Mr. Smith:

The U.S. Environmental Protection Agency (EPA) has reviewed the NOI for the Encinitas and Solana Beach Shoreline Protection Project (Project), San Diego County California. Our review is provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act. Our comments were also prepared in accordance with the provisions of the Federal Guidelines promulgated at 40 CFR 230 under Section 404(b)(1) of the Clean Water Act (CWA).

EPA recognizes the need to protect our shorelines and supports efforts to minimize erosion. We recommend that the Purpose and Need for this project include preservation of the natural environmental features in and out of the water.

We also recommend the U.S. Army Corps of Engineers (Corps) include in the DEIS: a general conformity applicability determination for the project; a monitoring plan to assess nourishment needs and address monitoring or mitigating plans in the context of environmental impacts from fill activities such as loss of surf grass and water quality.

EPA encourages the Corps to include in the DEIS the results of a comprehensive biological survey of the Encinitas and Solana shoreline. Without such a survey, it is difficult to accurately evaluate the environmental impacts of the proposed action. The DEIS section on environmental impacts should also include evaluations of: air quality, impacts to waters of the United States (WUS), biological resources, the source and quality of beach nourishment materials, climate change and flood potential. Our detailed comments are attached.

In light of climate change and rising sea level, EPA encourages the Corps to explore the viability of any long-term plan to place sand on a beach. EPA recognizes the project location is already in

a high flood risk area. Any timeline associated with this project should take into consideration the lifespan of the beach.

We appreciate the opportunity to review this NOI. When the DEIS is released for public review, please send one hard copy and three CD ROMs to the address above (mail code: **CED-2**). If you have any questions, please contact me at (415) 972-3800 or munson.james@epa.gov.

Sincerely,

James Munson

James Munson, Lead Reviewer
Environmental Review Office
Communities and Ecosystems Division

Cc:
Bryant Chesney, NOAA
Loni Adams, CDFG

EPA'S DETAILED COMMENTS ON THE NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL IMPACT STATEMENT FOR THE ENCINITAS AND SOLANA BEACH SHORELINE PROTECTION PROJECT, SAN DIEGO COUNTY, CA, (CEQ# 20050350).

Purpose and Need/Alternatives

The underlying need (e.g. shoreline protection,) and purpose for the project (e.g., public safety) should be clearly identified in the DEIS. The National Environmental Policy Act (NEPA) requires rigorous exploration and evaluation of all reasonable alternatives that meet the purpose and need, including those not within the jurisdiction of the lead agency (40 CFR Part 1502.14). The DEIS alternatives analysis should demonstrate the project's compliance with the CWA Section 404(b)(1) Guidelines and selection of the Least Environmentally Damaging Practicable Alternative (LEDPA).

Air Quality

General Conformity

The DEIS should include the results of the general conformity applicability analysis to indicate whether the preferred alternative is above or below this de minimis level. If it exceeds de minimis level, indicate the method that will be used to demonstrate that the project conforms to the applicable state implementation plan (SIP) for the area.

Direct and Indirect Emissions

The DEIS should include a complete description of all direct and indirect air emissions from this project, as well as potential impacts and ways to reduce those impacts. This description should include both an air quality impact assessment of fill placement, and a staging area plan that minimizes exposures to sensitive receptors and residents. In addition to a onshore air quality assessment, the DEIS should look at emissions from all activities taking place up to 3 miles from shore, this should include any dredging equipment, (e.g. dredger, tugboat an barge…).

Construction Mitigation Measures

EPA encourages the Corps to incorporate mitigation strategies to reduce or minimize air pollutant, paving, and fugitive dust emissions. We recommend that the DEIS include plans for idling restrictions, proper maintenance of equipment, and the selection of construction equipment based on low emission factors, the Project should incorporate stringent emission controls for PM and ozone precursors for construction-related activity.

We recommend the following additional measures be incorporated into the Construction Emissions Mitigation Plan.

Fugitive Dust Source Controls:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing, and phase grading operations, where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage, and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Mobile and Stationary Source Controls:

- Reduce use, trips, and unnecessary idling from heavy equipment.
- Maintain and tune engines per manufacturer's specifications to perform at California Air Resources Board (CARB) and/or EPA certification, where applicable, levels and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. CARB has a number of mobile source anti-idling requirements. See their website at: http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm
- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations
- If practicable, lease new, clean equipment meeting the most stringent of applicable Federal or State Standards. In general, only Tier 3 or newer engines should be employed in the construction phase.
- Where Tier 3 engines are unavailable, utilize EPA-registered particulate traps and other appropriate controls where suitable, to reduce emissions of diesel particulate matter and other pollutants at the construction site.

Administrative controls:

- Identify all commitments to reduce construction emissions and incorporate these reductions into the air quality analysis to reflect additional air quality improvements that would result from adopting specific air quality measures.
- Identify where implementation of mitigation measures is rejected based on economic infeasibility.
- Prepare an inventory of all equipment prior to construction, and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage

caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.)

- Develop construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.
- Identify sensitive receptors in the project area, such as children, elderly, and infirm, and specify the means by which you will minimize impacts to these populations. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.

Air Quality Impacts Associated with Transporting Fill Material

The DEIS should include emissions associated with the multiple collection barge/tugboat trips needed to remove and transport fill to the project site. The DEIS should include estimates of the number of necessary collection barge trips (if any), the distance traveled, and corresponding air emissions.

Water Resources

Although a CWA Section 404 permit is not needed for the proposed action, the project must be in compliance with the CWA Section 404(b)(1) guidelines. Also, the EIS and ROD could serve as the basis for future permits that will be needed for maintenance of beach nourishment.

Large volumes of sand being placed on receiver beaches could lead to significant and unavoidable adverse impacts on surface water quality, fisheries, and benthic resources from increased turbidity, burial or smothering in special aquatic sites. Other short and long-term threats to water quality include construction-related contaminants such as oil and hydraulic fluid and increased turbidity that would occur during the future associated maintenance activities for the proposed project.

Recommendations:

The DEIS should include a comprehensive biological survey of the Encinitas and Solana Beach shoreline.

The DEIS should address the potential of the project to contribute to elevated turbidity levels. The Corps should consider marine design modifications regarding factors such as location and size, to minimize these environmental impacts.

Additional minimization measures for impacts to the aquatic environment should be discussed in the DEIS. Minimization measures include timing and rate of fill placement. The Corps should commit to placement in fall or winter to better mimic natural shoreline turbidity processes and reduce impacts during high recreational use times, and to develop debris management plans to ensure that the sediments from a borrow site or other source sites do not deposit trash, or other debris that may be harmful to the ocean environment.

When mitigating impacts to marine environments, EPA recommends compensatory mitigation using like environments, for example near shore impacts should be mitigated with near shore mitigation).

Source & Quality of Beach Nourishment Materials

The DEIS should consider all sources of sand such as onshore and offshore borrow sites including any opportunities for further minimizing impacts to the aquatic environment by using sand from other Corps permitted projects, or using sources from which the dredging might provide enhancement of environmental, navigational, or recreational conditions should be discussed in the DEIS.

We encourage the use of appropriate geotechnical and chemical testing of sediments for the project, including evaluation of offshore borrow site and other opportunistic sediment sources, to determine suitability for beach nourishment. The DEIS should describe initial sampling schemes such as depth and distribution of cores relative to the anticipated dredging depth. Additionally, a table should be included to provide a chemical reference sample along a beach transect at the proposed receiving site.

Recommendation:

The Corps should evaluate and discuss in the DEIS opportunities to coordinate with other projects that may produce suitable material for beach nourishment purposes. The ROD should include a commitment to consideration of opportunistic sources of beach nourishment material prior to each nourishment cycle. The DEIS should also include initial sampling of the borrow sources, and receiving site.

Biological Quality Surveys and Monitoring

The DEIS should include a monitoring program for the biological impacts of the Proposed Project. This monitoring program should have a detailed description and a clear adaptive management strategy to ensure that the aquatic environment is protected.

Endangered Species

The DEIS should include a comprehensive biological survey of the entire project area as well as any borrow sites, including a complete review of species that may be affected by the project. The results of consultation with the United States Fish and Wildlife Service and National Oceanic and Atmospheric Administration (NOAA), if appropriate, regarding threatened or endangered species or critical habitat should be included in the DEIS. Beach nourishment activities should avoid the nesting seasons for listed species, such as the least tern.

Cumulative Impacts

The DEIS should include a comprehensive list of other projects in the area that are under construction or planned such as ecosystem restoration opportunities at San Elijo Lagoon, and related cumulative impacts if appropriate. A feasibility study of periodically replenishing beaches should be analyzed and incorporated in plans for future growth. An analysis of how future projects, in conjunction with the proposed Project, may cumulatively impact the health of the affected resources should be addressed in this section.

Recommendation:
The DEIS should include a comprehensive discussion of all types of reasonably foreseeable projects that may take place in the area during the construction period, such as the San Clemente Shoreline Protection Project and San Elijo Lagoon Restoration Project and predict the cumulative impacts on affected resources.

Climate Change

Current research estimates that climate change could cause sea level rise and change the amount, timing, and intensity of rain and storm events. The Pacific Institute has created maps estimating flood risk due to sea level rise in the Encinitas and Solana Beach Shoreline area; to see the map go to: http://www.pacinst.org/reports/sea_level_rise/hazmaps/Encinitas.pdf

Recommendation:

The DEIS should describe and evaluate projected climate change consequences such as sea level rise, frequency of high intensity storms, and amplified rain events; and its impact on this project, including re-nourishment plans.

Executive Order 11988: Floodplain Management

Per Flood Insurance Rate Maps (FIRM), portions of the project footprint may be in a Zone VE Coastal Flood Zone with velocity hazard and established base flood elevation (BFE). See FIRM#: 06073C1044F San Diego Co Unincorporated & Incorporated Areas 06/19/1997. Executive Order 11988 Floodplain Management requires federal agencies to avoid, to the extent possible, the long and short-term adverse impacts associated with the occupancy and modification of floodplains.

Recommendation:

The DEIS should discuss any impacts that the Proposed Project may have on the potential for flooding.