



**DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT CORPS OF ENGINEERS  
915 Wilshire Blvd. Ste 930  
LOS ANGELES, CALIFORNIA 90017**

**CESPL-RG-N**

**APPLICATION: SPL-2014-00307-BLR**

**MEMORANDUM FOR RECORD**

This document constitutes the Environmental Assessment, NEPA review, Public Interest Review, and Statement of Findings for MDR Basin H Boat Central-Dry Boat Storage Project SPL-2014-00307-BLR

**1.0 Proposed Project**

A complete permit application was received on May 8, 2014.

**1.1 Applicant name and address:**

Thomas Hogan  
MDR Boat Central LLP  
3416 Via Lido, Ste G  
Newport Beach, CA 92663

**1.2 Project Name: MDR Basin H Boat Central-Dry Boat Storage Project**

**1.3 Proposed Project Location: 33.97633055 -118.44159**  
Closest Waterway: Marina del Rey Channel, Pacific Ocean  
City: Marina del Rey  
County: Los Angeles  
State: California

**1.4. Project Purpose: The NEPA project purpose is recreational boat storage.**

**1.4.1 Basic Project Purpose: The Basic Project Purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent.**

**Because no fills are proposed within the special aquatic sites, identification of the basic project purpose is not necessary.**

**1.4.2 Overall Project Purpose: The Overall Project Purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the**

applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose is not defined here for a 404(b)(1) analysis because there is no proposed discharge of fill material. However, for NEPA analyses, the purpose of the proposed project is to construct a new dock storage system for approximately 345 vessels in Marina del Rey.

#### 1.4.3 Water Dependency Determination:

The project is a water-dependent project, but there is no need to consider it here further because there is no proposed discharge of fill material nor 404(b)(1) analysis.

### 1.5 Project Purpose and Need under the National Environmental Policy Act (NEPA):

#### 1.5.1 Proposed Project Description:

The proposed project would use a land-based dry-stack facility in order to provide boat storage for vessels for navigation and recreation to keep up with the growing population of people, limited area for storage, and demand for boat storage. In addition, it would primarily provide storage for smaller vessel sizes (20 – 35 foot in length).

The existing site contains a long dock (1,533 square feet) which would be completely demoed and a sheriff dock (1,984 square feet) which would be partially demoed, respectively.

The proposed project would remove existing docks, utilize part of the existing docks, and install an expanded new dock system supported by concrete 48-inch-diameter support piles, impacting approximately 139 square feet of soft-bottom habitat from the piles themselves resulting in no discharge of fill material\*. The total increase in overwater coverage from the new docks and gangways would be approximately 5,647 square feet (0.12 acre) in Section 10 waters of the United States.

In addition, a new overwater dry stack structure boat queuing system would be installed to hold approximately 345 vessels and 30 mast-up vessel storage spaces in the lot. The dry stack structure would extend over the water 97 feet seaward on the westerly side resulting in approximately 3,927 square feet (0.09 acre) of overwater coverage, and 45 feet seaward on the easterly side resulting in approximately 1,401 square feet (0.03 acre), for a total of 5,328 square feet (0.12 acre) above the water, but not in or on the water.

Overall the docks, gangways, and dry-stack shading would result in approximately 10,939 square feet (0.25 acre) overwater coverage in Section 10 waters of the United States, installation of new piles, no discharge of fill material, and no impacts to eelgrass because none is present.

The proposed project construction schedule would be approximately 11 months.

\*Note, placement of pilings in waters of the United States that does not have or would not have the effect of a discharge of fill material shall not require a section 404 permit (33 CFR 323.3(c)(2)).

#### 1.5.2 Avoidance and Minimization Information:

##### Avoidance measures:

- The project was sited in areas not occupied by or determined to be suitable for sensitive habitat (e.g., submerged aquatic vegetation, salt marsh, and intertidal flats).
- Any cross or transverse bracing would be placed above the mean higher high water to avoid any impacts to water flow and circulation.
- The overwater structure has been designed as the minimum necessary to address project objectives.
- The upland structures are designed to orient in a north-south orientation, to the maximum extent practicable, to minimize persistent shading over the course of a diurnal cycle.
- The dry stack storage structure was designed to use the fewest number of piles as possible for necessary support of the structure to minimize pile shading, substrate impacts, and impacts to water circulation. Piles would be spaced a minimum of 10 feet apart on center.
- Floating dock structures are restricted to terminal platforms placed in the deepest water available at the project site.
- The new dock structure would extend up to 200 feet into Basin H on the western side of the project site, which is similar to the adjacent docks in front of the boatyard facility.
- The additional shading from new dock placement is expected to change the current amount of shading. While the dry stack structure is 7 to 10 feet above the water and the shadow effect is greatly reduced compared to in-water wet slips shading.
- Materials (translucent white polycarbonate) will be incorporated into the overwater structure design to maximize light transmittance through the material.

##### Minimization:

Pile driving operations would be monitored for compliance with water quality and noise generation restrictions under California Environmental Quality Act (CEQA). Sound curtains can be deployed to control noise impacts. Silt curtains and booms would be installed around the work barge, and pile removal and emplacement operations will minimize turbidity. No pile driving activity generating noise exceeding the Los Angeles County Code standards (60 dB(A) is allowed, and would not occur during the period commencing April 1 and ending September 1 of any year (nesting bird seasons). In addition turbidity would be monitored and silt curtains would be used to reduce the spread of any substrate entrainment into the water column.

The dry stack storage structure would include an architectural cladding of translucent white polycarbonate cement board and stainless-steel mesh or a similar material. The polycarbonate material also filters UV rays and resists salt corrosion, which increases the longevity of the structure. The material is non-reflective and consistent with the bird-safe policies of the California Coastal Commission.

The applicant proposes to incorporate the following conservation recommendations into the proposed project from the Programmatic Agreement between the National Marine Fisheries Service (NMFS) and the Corps Los Angeles District, for pile removal and installation, to avoid and minimize adverse impacts to aquatic resources:

- Slowly remove piles to allow sediment to slough off at or near the mud line.
- Hit or vibrate the pile first to break the bond between the sediment and the pile to minimize the likelihood of the pile breaking and to reduce the amount of sediment sloughed.
- Encircle the pile with a silt curtain that extends from the surface of the water to the substrate, where appropriate and feasible.

#### 1.5.3 Compensatory Mitigation:

No compensatory mitigation is proposed for this project. In addition the project would result in no discharge of fill material. New piles would be installed into the harbor seafloor and new docks would be fixed at the surface. No eelgrass, kelp, or other high value marine resources were found within the project area.

#### 1.5.4 Existing Site Conditions:

The project site is within 4.2 acres of land and water in Marina del Rey Harbor, California. The upland portion of the project site is primarily paved parking lot, known as Parcel 52. The waterside portion of the project area is located within the Marina del Rey Small Craft Harbor in Basin H. Access to the upland side of the facility is from Fiji Way road, and the upland is currently in use as a temporary parking lot containing Los Angeles County facilities. The immediate vicinity of the project is mainly commercial and recreational use, including adjacent public boat ramps. The project site is closely bordered to the south by the Ballona Wetlands Ecological Reserve, on the other side of Fiji Way road.

The Marina del Rey Harbor is located within the Marina del Rey watershed bordered by the Santa Monica Bay watershed and Ballona Bay watershed. Marina del Rey Harbor is open to Santa Monica Bay through the Main Channel and it shares a common breakwater with Ballona Creek. The Harbor consists of the Main Channel and eight basins over 403 acres with 8 miles of concrete bulkheads. In December 1957, the federal government using the US Army Corps of Engineers began construction of jetties for the present entrance to the harbor which comprised only the main navigational features funded by the federal government. By November 1958, the entrance channel jetties were completed and the first tangible facilities for the harbor became a reality. This led to a \$13 million revenue bond

issue being sold by the County of Los Angeles in December 1959 to provide complete funding for the County's share of the harbor construction cost. After construction of a breakwall to protect the harbor, Marina del Rey successfully opened in early 1965 and the formal dedication to the public of Marina del Rey Harbor was held on April 10, 1965. Marina del Rey Harbor currently contains approximately 4800 boat slips within approximately 26 separate anchorages/marinas. Water quality in the Marina is heavily impacted by storm drain run off and pollutants introduced from Ballona Creek and the Oxford Retention Basin, as well as the effects of anti-fouling paints leached and scraped from boat hulls and oily films from refueling or seepage. The EPA approved 303(d) list for California was most recently updated in 2010 and the harbor has associated total maximum daily load (TMDL) requirements.

The majority of the marine habitat within the project area is subtidal soft-bottom habitat comprising sands, silts, and clays. Hard surface habitat is limited to vertical retaining walls and protective riprap along the channel sides. Mid-channel mean lower low water depths range from 9 to 10 feet, with basin depths ranging from 7 to 10 feet. No special aquatic sites (e.g., wetlands, mudflats, coral reefs, pool and riffle areas, vegetated shallows, sanctuaries, or refuges, as defined in 40 Code of Federal Regulations [CFR] 230.40-45) are present within the project area.

The proposed project is located within a general area designated as Essential Fish Habitat (EFH) by the Coastal Pelagic Species and Pacific Coast Groundfish Fishery Management Plans. As is typical in the basin, no eelgrass was observed in the project area during an eelgrass survey conducted on October 17, 2006. The California least tern (*Sterna antillarum browni*), a federally-listed endangered species, uses open sandy or gravelly shores with light-colored substrates, little vegetation, and regional waters for nesting. The project area does not contain nesting California least tern and do not provide suitable nesting or foraging habitat for California least terns due to the high level of human activity and developed shores. The nearest known nesting location is approximately 1 mile away along Venice Beach. It is likely California least tern also utilize the nearby Ballona Wetlands Reserve for resources.

While the Marina del Rey Harbor is not a breeding habitat for pinnipeds due to high human activity of the surrounding land and water, at least California sea lions and harbor seals can be seen resting on buoys and breakwaters in the area.

## 2.0 Authority

- Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403).
- Section 404 of the Clean Water Act (33 U.S.C. §1344).
- Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

### 3.0 Scope of Analysis

#### 3.1 NEPA:

##### 3.1.1 Factors:

- 3.1.1.1 Whether or not the regulated activity comprises “merely a link” in a corridor type project.

The Proposed Project contains both an upland portion and WOUS portion which are directly linked and are considered together for the proposed project. The project scope includes the upland portion of the proposed boat storage facility and its associated impact on the parking lot Parcel 52, but does not include Parcel GG that currently houses the Sheriff’s/Lifeguard facilities. However, there are no other proposed actions by the applicant outside the project area or linked to the proposed project. Although there have been numerous projects considered and some of which are under construction/recently completed in Marina del Rey, they all have independent utility and are not associated or dependent on the Proposed Project. The Proposed Project is a single and complete project and not a link in, or component of, any linear or corridor project.

- 3.1.1.2 Whether there are aspects of the upland facility in the immediate vicinity of the regulated activity, which affect the location and configuration of the regulated activity.

The proposed upland facility would affect the location and configuration of the regulated activity. Specifically, the new docks would need to be constructed in reasonable proximity to the dry stack storage facility to facilitate the queuing and transfer of vessels efficiently and cost-effectively; the same is true for the overwater portion of the dry stack storage facility which relies on the upland portion of the facility. However, the upland area in the immediate vicinity of the regulated activity currently consists of a County owned and operated parking lot and contains no aquatic resources. Conversion of this parking lot to a dry stack storage facility with associated features would not result in any impacts to aquatic resources.

- 3.1.1.3 The extent to which the entire project will be within the Corps jurisdiction.

The Proposed Project involves installing structures in Marina del Rey Harbor, Basin H, a navigable WOUS. The geographic jurisdiction extends to the portion of the project in federal navigable waters, which in this case is limited to waters of Basin H. However, the entire project including the upland parking lot where the

storage building is proposed, is within the Corps' scope of analysis.

3.1.1.4 The extent of cumulative Federal control and responsibility.

While the project is not within the Federal Channel and would not affect a Corps-built structure and therefore does not require 408 approval by the Corps, the Corps does have responsibility under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 to regulate the construction of the proposed project. The extent of Corps control and responsibility includes the entire project site, including uplands. The NMFS also has federal authority under the Magnuson-Stevens Fishery Conservation and Management Act via Essential Fish Habitat consultation with the Corps.

3.1.2 Determined Scope:

- Only within the footprint of the regulated activity within the delineated water.  
 Over entire property.

3.2 National Historic Preservation Act (NHPA) "permit area":

3.2.1 Tests: The term permit area as used in 33 C.F.R. 325 section Appendix C "means those areas comprising the waters of the United States that will be directly affected by the proposed work or structures and uplands directly affected as a result of authorizing the work or structures." Work outside the waters of the United States are/are not included because all of the following tests are/are not satisfied: Such activity would/would not occur but for the authorization of the work or structures within the waters of the United States; Such activity is/is not integrally related to the work or structures to be authorized within waters of the United States (or, conversely, the work or structures to be authorized must be essential to the completeness of the overall project or program); and Such activity is/is not directly associated (first order impact) with the work or structures to be authorized.

The proposed project includes a new in-water dock system and new landside dock storage building. The Permit Area is therefore the WOUS, and because the building is integrally related to the proposed project and dock system, the proposed building area, currently a parking lot, is within the Corps Permit Area. A 50-foot buffer is included for operation during construction.

3.2.2 Determined scope.

The Corps determined scope of analysis area, or Area of Potential Effects (APE) is the 6,739-square-foot new dock structure, and over-water portion of the upland dry stack storage facility, and dry-stack storage facility in the upland parking lot, in addition to a 50-foot working buffer area.

3.3 ESA "Action Area":

3.3.1 Action area means all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action.

3.3.2 Determined scope.

The ESA “Action Area” is the 6,739-square-foot new dock structure and over-water portion of the upland dry stack storage facility and does not include the upland parking lot portion of the dry-stack facility. The upland parking lot is not included in the Action Area because there is no suitable habitat and no habitat at all in the parking lot that could support individuals. The Action Area does not include the nearby Ballona Wetlands Reserve.

3.4 Public Notice Comments  NA.

Public Notice comments were compiled with the Public Hearing comments (see Section 3.4.4 below) and considered and incorporated.

3.4.1 Commenters and issues identified.

See file and below.

3.4.2 Issues identified by the Corps.

*Navigation:*

The proposed project would increase the number of docks, vessels, and vessel traffic. The Corps looked into potential impacts to navigation and maneuverability by reaching out to local entities in the harbor.

After receiving many comments from the public concerning navigation and project placement, the Corps emailed and called the following local entities (and included the Public Notice) to ask whether or not they had any issues with the proposed project.

U.S. Coast Guard Officer LCDR Matthew Salas (April 7, 2015): Mr. Salas requested additional documents which were not included in the Public Notice and then submitted a response letter on April 10, 2015 regarding potential for increased collisions, and requested additional information about seasonal traffic analysis, projection of vessel traffic, and mitigation. The Corps forwarded these concerns to the applicant who addressed the questions in a written response. In addition USCG Officer VanHouten coordinated directly with the applicant and then provided a final response (see below).

U.S. Coast Guard Officer, Mike VanHouten (September 3, 2015): Officer VanHouten replied by email indicating he had all his questions answered and believes the potential for increased boat traffic is manageable by the project.

Harbor Sheriff, Officer Richard Godfrey (October 16, 2015 and March 9, 2016): Informed the Corps he has no concerns with the project.

L.A. County Beaches and Harbor, Michael Tripp (March 2, 2016): Unaware of any issues with the project. Reviewed the project and issued a lease to the applicant which contains pre-construction requirements.

U.S. Coast Guard, Colleen Patton (March 21, 2016): The Corps forwarded information regarding the Public Hearing via email.

Mr. Jason Norris, Civil Works Plan Formulator Team Lead of the Corps Alaska Center of Expertise for navigation with specialization in small boat harbors (August 9, 2016): The Corps coordinated information regarding the proposed project design layout, vessel types, and maneuverability area. He indicated in summary via email (08/09/016), that if the standards were applied, and support is provided by the local USCG and harbor master, then it meets due diligence and the design is sufficient.

In addition, based on concerns regarding navigation and navigability from the public, the Corps researched guidelines for constructing marinas. One document reviewed was 'Planning and Design Guidelines for Small Craft Harbors' Third Edition, and American Society of Civil Engineers (ASCE) Manual on Engineering Practice, No. 50, published 2012. The primary focus regarding maneuverability in these manuals is determining lane widths for entrance channels. Calculating maneuverability includes assessing the vessel speed, crosswinds, crosscurrents, longitudinal currents, and wave height. Adjustments to lanes are made based on incorporating these various factors ranging between 0 and 2.2 of the vessel's width (see Table 2-4 of the ASCE document). In the project area, if we assume vessels are allowed to travel concurrently two-ways between the public launch ramp and the new proposed dock, and assume poor wind and current conditions by applying a factor of 2.2, then two vessels each with a 15-foot beam (approximate 35 foot length), multiplied by 2.2, would require a 66 foot lane width. The proposed project provides a 75-foot clearance width between the public launch ramp corner and the proposed dock corner which is adequate to allow two-lane traffic in poor conditions.

A second document, 'Engineering and Design, Hydraulic Design of Small Boat Harbors' published by the Army Corps of Engineers (EM 1110-2-1615) September 1984, was reviewed. The manual determines the size of the basin will depend on the maneuverability of vessels using the basin. It should be large enough to allow turning of small recreational craft without backing (expressed as vessel turning radius). This distance can be obtained from observation. Larger commercial vessels may be required to maneuver forward and reverse several times to turn if such traffic is infrequent. Turning basins at boat ramps may require additional space to allow waiting areas for several boats while the ramp is occupied. An analysis was conducted by the applicant using vessel traffic information and vessel use in the area. The analysis showed there would be increased traffic and congestion could occur during peak usage times. During the planning process, the applicant mitigated for these considerations by increasing the distance between the adjacent public launch ramp and the proposed dock to allow a total of 75 feet of clearance. The distance between each of the three public launch

ramps themselves are only 44 feet. In the next basin over, Basin G, in a similarly situated location of the basin corner, the distance between the end docks and the southern corner docks is only 56 feet. And again in Basin C the distance between a set of side docks and a set of end docks is only 40 feet in width. Therefore it is apparent maneuverability within and around the proposed project would be adequate.

*Congressionally approved Marina del Rey plan*

One comment received regarding the original congressionally approved project by the Corps to construct Marina del Rey is House Document 389 (1956) and House Memo (General Design) (1963). House Document 389 (1956) includes the congressionally authorized project to construct Marina del Rey harbor and an attached map of the preliminary design. This harbor design and configuration was later revised under the House Memo to include the new proposed design. The public comment purports that the Marina del Rey harbor completed built project was not vetted to the public for approval, and its originally intended purpose and design was for the public using public funds. Once constructed the marina was later turned over to the local Sponsor, Los Angeles County, to manage and maintain. The public believes the continued recent development and changes in the marina are not within the originally approved plan. It is true developments have occurred within the harbor that were not originally specified in the plan, however, all development is reviewed and approved by the Sponsor. While the Corps originally built much of the Marina del Rey harbor, the Corps does not manage and maintain developments. The Corps is only responsible for maintaining Federal Navigation channels throughout Marina del Rey which are located along the main centers of each channel and basin. Only major changes to Federal Navigation channels in Marina del Rey would require a Corps Engineering 408 permit and such changes rarely occur. While Corps Regulatory Division reviews and issues permits for projects in Section 10 and Section 404 of the marina, the Corps does not decide which types of projects are needed or appropriate for the marina. The decisions about what type of projects are proposed is determined by the Sponsor. Therefore this issue is outside the purview of the Corps.

3.4.3 The public also provided comments at  public hearing,  public meeting, and/or  NA. The Corps received 205 requests from the public for a public hearing, additional email, letters, and phone calls, and the Corps decided to hold a Public Hearing. Public Notices were posted informing the public of the hearing and logistics. The Public Hearing took place at Chace Park in Marina del Rey Harbor on May 11<sup>th</sup>, 2016 from 6:00 PM to 8:00 PM. Deputy Commander Sugrue was the Presiding Officer. A stenographer was present who recording the hearing in a Transcript dated May 20, 2016.

3.4.4 Comments and issues raised at the hearing and in other comments received before, during, and after the Public Notice comment period(s):

All comments received are part of the administrative record and were considered in this analysis.

Comments at the hearing were received both verbally and in writing. In addition the public had 10 days plus an additional 3 days to provide additional written comments. The hearing transcript (see file) was recorded by a stenographer and provided to the Corps and stakeholders and posted on our regional website.

Substantial comments received are summarized into the following main topics and are addressed thereafter below:

- Demonstrate the project's need for new boat storage/slips in Marina del Rey.
- Storage building aesthetics and height, including effects to viewshed of ocean and wetlands.
- Storage building translucent materials and impacts/effects to avian species.
- Concerns regarding loss of the parking Lot #52 on-site. Loss of the only free public parking lot and which groups the loss would/would not affect including bikers, joggers, boat trailers, and sportfishers.
- Construction-related impacts including traffic, noise, and air quality impacts. The construction schedule.
- Increased boat congestion and vehicular traffic. Impacts to novice boater safety at the nearby public boat launch.
- Impacts to views of Ballona Wetlands.
- Requests that an Environmental Impact Statement (EIS) be prepared.

**Topic 1: Demonstrate the project's need for new boat storage/slips in Marina del Rey.**

The purpose and need for the project is described in Section 3 of the EIR prepared for this project (CAA Planning 2012; Project No. R2008-02340). In general, there is a need for additional high-capacity boat storage within Marina del Rey because of the growing population and limited space for boats. As described in the 2010 Marina del Rey Slip Sizing Study, the majority of existing vacancies in the marina are for slip sizes 35 feet and less in length (Raju 2010; Appendix A). However, many of the marinas in Marina del Rey do not meet the California Department of Boating and Waterways' (CDBW) current slip clearance criteria (CDBW 2005). To upgrade the slip sizes in compliance with current CDBW criteria, there would be an estimated 10% reduction (4,731 to 4,255) in the total number of available slips. This reduction also accounts for the increase in boat slip lengths of 36 feet or more to accommodate larger vessels, which historically have the lowest vacancy rates in Marina del Rey. To offset the reduction of boat slip lengths of 30 feet and less during the replacement and reconfiguration of marinas within Marina del Rey, an increase in dry storage spaces is needed. Increased dry storage options are consistent with local land use policies and zoning ordinances such as the Marina del Rey Land Use Plan (LUP; County 2012), which sets a goal of providing 1,114 dry storage spaces in Marina del Rey, including 350 dry storage spaces specifically at Parcel 52 (LUP page 3-2, Section A.3., Recreational Boating).

The LUP, which is a component of the Marina del Rey Local Coastal Program adopted in 1996 and more recently amended in 2012, guides development in the 804-acre County-operated marina to address future land use, new access, recreation and resource protection areas, and

improvement of existing facilities. The LUP and its implementation program, the Marina del Rey Specific Plan, includes goals and policies to prevent impacts on coastal water resources caused by existing and new development, either individually or cumulatively. Following the LUP, the principle permitted use at Parcel 52 is boat storage and waterfront use, and the Boat Central Project at Parcel 52 is included as a development project to provide mast-up and dry stack storage. Dry dock storage is encouraged in the harbor as a more environmentally efficient option for storing small boats that reduces the amount of pollutants which normally result from in-water storage. In summary, the proposed project's purpose and need is justified by marina trends, Los Angeles County, associated planning documents, growing population of people, preference for reduced adverse environmental impacts and further impacts to water quality. Lastly the project proponent's financial and time investment in the proposed project, planning, and business pursuit of the project indicates the facility services would be purchased by boat users. The District Engineer is otherwise unaware of any other information that would show a lack of need for the project. The project need is reasonable.

**Topic 2 – Storage building aesthetics and height, including impacts to viewshed of waterfront.**

The project proponent has committed to the following mitigation measures to offset impacts to aesthetics include the following:

Prior to issuance of building permits, a Final Landscape Plan for the project would be approved by the County Department of Regional Planning. The Final Landscape Plan would include drought-tolerant species and prohibit use of non-native/invasive species such as Mexican fan palms.

After completion of the project and landscaping installation, the project applicant shall ensure the landscaping/planting within the view corridors between the waterfront bulkhead and Fiji Way would be pruned on a regular basis for the life of the project to ensure that a view can remain between the vehicles and the trees in the parking lot.

The project applicant would ensure exterior lighting in the parking lot is designed and located so that all direct rays are confined to the property. Lighting would be designed to minimize visibility of light sources by directing lighting on site and not illuminating areas outside property boundaries. Impacts to aesthetics after mitigation were analyzed in Subsection 5.1.5 of the EIR and are summarized as follows:

Height and Massing. The Boat Storage land use category provides a height limit of 75 feet for boat storage facilities and 25 feet for commercial support facilities. The boat storage structure is within this height allowance. No height limit is provided for the boat hoists or cranes or protective enclosure, consistent with Los Angeles County Code (LACC) §22.46.1880. The crane and the protective enclosure will be 81.5 feet at the highest point. As proposed, the maximum height of the structure above ground ranges from 73.5 to 81.5 feet where the storage rack structure interfaces with the boat hoist superstructure. The majority of the roof would be approximately 67 to 75 feet above ground. The gantry crane, track, and protective covering would be approximately 60 feet in width, spanning the entire length of the building and

extending to a height of 81.5 feet at the highest point. The dry stack storage structure has been designed to minimize the visual impact of the amount of site coverage by providing view corridors on both sides of the structure, totaling 50%. See Exhibits 4.3-5 and 4.3-6 (EIR). Under the County Land Use Plan (LUP), 'View Corridors' are those that give the public the ability to experience and view the marina waters in excess of 20% of the parcels waterfront.

**Building Materials.** The design of the building, as proposed, would include materials and colors compatible with the aesthetics standards already established in the marina. Architectural features (i.e., material, style, and color perspective) would provide additional visual relief from the placement of a structure.

**Shade and Shadow.** The greatest shade coverage would occur during the winter solstice in the late afternoon. However, there are no sensitive resources within close proximity that the shadow would adversely affect. There are no shade effects on any eelgrass nor wetlands.

**Landscaping.** Through incorporation of mitigation measures, landscaping will enhance the areas open to public use and provide a natural buffer to views of the site from the water and Fiji Way.

**Scenic Drives.** Views from Fiji Way for pedestrians, bicyclists, and motorists would be maintained through implementation of a 50% view corridor to the waterfront, beyond the minimum 20% County requirement.

**Views of the Harbor and Public Viewing Area.** The proposed project will maintain a marina viewing area at the waterside on the west side of the dry stack boat storage structure that leads to a passive park on the waterfront.

**View Corridors.** The project will provide a 50% view corridor to Basin H, which is in excess of that required by the Local Coastal Program (LCP). Impacts due to obstruction of views would be sufficient due to the amount of open waterfront that would be maintained for public views. There are no views of the open ocean from the project site. Views of the Ballona Wetlands from Fiji Way would remain visible.

In summary, public concerns regarding views, aesthetics, building heights, materials, overall look, shading, would be offset through the proposed project design, and avoidance and minimization of effects. The project design has addressed these concerns through proposed design and implementation and would not result in significant impacts.

### **Topic 3 – Storage building translucent materials and impacts/effects to avian species.**

A report on marine bird populations identified collision as a potential disturbance from new development (Froke 2008). Collision refers to the potential for flying birds to collide with glass and glass-like surfaces of reflective and non-reflective buildings. Therefore it is beneficial to mitigate transparent (or reflective) glass use with either translucent glass or compounded non-transparent materials so materials are visible to birds and collision does not occur. The dry stack boat storage structure would be constructed using a translucent polycarbonate that is not fully

transparent or reflective, and would be in compliance with the California Coastal Commission's (CCC's) following bird-safe building standards (CCC 2011, 2013) as follows:

- a. Untreated glass or glazing shall not comprise more than 35% of a building façade.
- b. Acceptable glazing treatments include: fritting, netting, permanent stencils, frosted, non-reflective or angled glass, exterior screens, decorative latticework or grills, physical grids placed on the exterior of glazing, ultraviolet patterns visible to birds or similar treatments, as approved.
  - i. Where applicable, vertical elements within the treatment pattern should be at least 1/4" wide, at a maximum spacing of 4";
  - ii. Where applicable, horizontal elements within the treatment pattern should be at least 1/8" wide, at a maximum spacing of two inches 2"; and
  - iii. No glazing shall have a "Reflectivity Out" coefficient exceeding thirty percent (30%). That is, the fraction of radiant energy that is reflected from glass or glazed surfaces shall not exceed 30%.
- c. Building edges of exterior courtyards and recessed areas shall be clearly defined, using opaque materials and non-reflective glass.
- d. Trees and other vegetation shall be sited so as to avoid or obscure reflection on building facades.
- e. Buildings shall be designed to minimize light spillage and maximize light shielding to the maximum feasible extent per the following standards:
  - i. Nighttime lighting shall be minimized to levels necessary to provide pedestrian security.
  - ii. Building lighting shall be shielded and directed downward.
  - iii. Up-lighting and use of event "searchlights" or spotlights is prohibited.
  - iv. Landscape lighting shall be limited to low-intensity and low-wattage lights.
  - v. Red lights shall be limited to only that necessary for security and safety warning purposes.
- f. Artificial night light from interior lighting shall be minimized through the utilization of automated on/off systems and motion detectors.
- g. Avoid the use of "bird traps" such as glass courtyards, interior atriums, windows installed opposite each other, clear glass walls, skywalks, and transparent building corners. Therefore, collision is not identified as an adverse impact to bird species because the translucent polycarbonate or similar material would appear to birds as a planar surface and would not reflect nearby landscaping or natural features, thereby preventing them from mistakenly flying into the building.

In summary, the proposed incorporation of material choice specifically to prevent bird collision is offset and mitigated by project design. This concern therefore would result in no impact nor significant impact to avian species.

**Topic 4 – Concerns regarding loss of the parking Lot #52 on-site. Loss of the only free public parking lot and which groups the loss would/would not affect including bikers, joggers, boat trailers, and sportfishers.**

The four categories of existing parking lot users are as follows:

Public (secondary user) – This category includes the general public. Public parking lots, many underutilized (frequent use does not meet full capacity), are available throughout Marina del Rey. The repurposing of Parcel 52 parking area to recreational boating would not inhibit public access to the marina. Charter cruise and fishing boat operations would be relocated prior to the termination of public parking at Parcel 52 by Los Angeles County. The cost of short-term parking in the marina is a matter of public policy set by the County and unrelated to the Boat Central project. Additionally, as stated in the County’s Land Use Plan (LUP), Parcel 52 is a “Temporary Lot” to be converted to County office facilities (County 2012; Figure 3, pages 2-6). Accordingly, the parking spaces on Parcel 52 were never intended, based on LCP-adopted policy, to be part of the long-term public parking supply. In addition the County can change or modify parking uses and fees at any time that is almost always outside WOUS and therefore outside Corps jurisdiction. For this project, the Corps considers impacts to parcel from the project.

Long-term/Overnight (secondary user) – This category includes vehicles parked long-term/overnight without any direct connection to marina-related activities. This is not an allowable use under the LCP, and the County has begun enforcing parking limits. Additionally, as detailed in the Project Description, in November 2011, the CCC approved an amendment to the Marina del Rey LCP that changed the Parcel 52 designation to “Boat Storage” and affirmed that use of Parcel 52 as a temporary parking lot is no longer necessary.

Dock 52 (primary user) – Dock 52 is used by several charter boat companies to load and unload passengers for fishing, dinner, and other local cruises. Dock 52 uses could be relocated to a refurbished public dock adjacent to Parcel W at Fisherman’s Village, and associated patron parking spaces could be relocated to adjacent Lot 1. Use of an alternative dock site for charter boats would not result in a significant impact to these uses.

County Office (primary user) – County Office parking relates to the employee and visitor parking for the County Harbors Administration Annex office and County Sheriff’s Lifeguard facility. The Administration office would be relocated, but the Sheriff’s Lifeguard facility would remain as specified by the approved Los Angeles County lease agreement on-site.

Prior to commencement of construction, the applicant, in coordination with the County Department of Beaches and Harbors, as required by the County lease agreement would prepare an interim parking plan providing 63 public parking spaces in the same general geographic region, which would remain available until permanent alternative parking is established. The plan would be submitted to the Department of Regional Planning to demonstrate adequate public parking would be available in the Fiji Way area while the project is under development. This measure ensures that adequate interim public parking is available until the “Public,” “County

Office,” and “Dock 52” parking components are permanently relocated. Additionally, the provision of 134 surface parking spaces would result in a surplus of 31 spaces using the design ratio of 1 space per 4 boat spaces, and a surplus of 1 space using the conservative case ratio of 1 space per 3 boat spaces for a dry stack storage structure. The 134 parking spaces is based on the a parking demand analysis for the Project (Refer to Appendix J of the FEIR Section 13, beginning on page 37). This parking analysis was the basis for the County requiring 134 parking spaces on-site. The 236 existing spaces in Parcel 52 would be modified because the current activities (charter boat, County offices) on-site would be relocated. Therefore, adequate on-site parking would be available and the project would result in no impact to public parking after offset through alternative parking. Public parking for bicyclists and pedestrians can be accommodated at any parking areas in the marina.

In summary parking fee rates and determinations are outside the purview of the Corps, and the Corps has determined the proposed project would not significantly impact public parking because changes would be offset.

#### **Topic 5 – Construction-related impacts including vehicular traffic, noise, air quality, and construction schedule impacts.**

Potential impacts from construction work were analyzed in the EIR (traffic impacts in Section 5.11, noise impacts in Section 5.8, and air quality impacts in Section 5.2).

Potential effects from each resource topic after offset mitigation are summarized in the following subsections.

##### Traffic

The traffic impact analysis prepared for this project (MDR Appendix B). Construction-related trips associated with trucks and employees traveling to and from the site may result in some minor traffic delays to vehicles using Lincoln Boulevard and Fiji Way. However, traffic impacts to the adjacent roadway network would be minimal and temporary to the length of the project. The following mitigation measures would be implemented:

Prior to commencement of construction, the applicant, in coordination with the County Department of Beaches & Harbors, would prepare an interim parking plan providing 63 public parking spaces in the same general geographic region, which would remain available until permanent parking is provided.

Prior to the issuance of building permits, the project applicant would, in coordination with the County, prepare a construction management plan that addresses, at a minimum, the recommendations contained in the Traffic Impact Analysis Section 15.3, Construction Management Plan Criteria.

In summary, the proposed project would not result in minor temporary impacts to vehicular traffic.

### Noise

The proposed project would result in short-term temporary construction-related noise impacts. Implementation of the following mitigation measures would reduce potential noise impacts associated with construction:

During the construction phase, applicant would ensure that all construction work be limited to the hours and days permitted by Los Angeles County Code.

During the construction phase, applicant would ensure that all construction and demolition equipment be fitted with properly sized mufflers.

-During construction, applicant would ensure that all noise generating equipment be located as far as practicable from the surrounding properties.

-During construction, applicant would ensure that poured-in-place piles be used where feasible. A qualified geotechnical engineer would review the feasibility of this method, including assessing the necessary depth of the holes to ensure piles are supported in bedrock or sufficiently dense soils.

- Prior to construction, the applicant would ensure that an acoustical study be performed based on the final construction methodology to investigate alternative means of reducing noise impacts from impact pile driving or vibratory pile driving.

- Prior to construction, the applicant would ensure that a qualified structural and/or geotechnical engineer review the proposed construction methodologies to ensure vibration from drilling and other work does not pose a risk of building damage, particularly due to dynamic soil settlement.

- Prior to construction, applicant would ensure that a pile program be performed prior to proceeding with pile installation such as acoustic investigation, geotechnical survey, on-site engineer, and keeping within maximum construction noise levels)(as providing in the applicant's Van Beveren and Butelo, Inc 2008 analysis).

-During construction, the applicant would ensure a qualified structural and/or geotechnical engineer be on-site to perform tests and observations to ensure the structural stability of the structures in the vicinity of the construction area. Such observations may include vibration velocity measurements inside and/or outside of potentially affected structures.

In summary, the proposed limitations on noise, geotechnical considerations and planning are typical for dock and pile-driving projects and within the typical reasonable range. The Corps has determined noise impacts would not result in minor impacts and no significant impacts.

### Air Quality

The air quality assessments prepared for this project are described in Appendices D1 and D2. All potential short-term air quality impacts associated with construction of the project are below the South Coast Air Quality Management District's (SCAQMD's) daily significance thresholds for CO, ROG, PM10, PM2.5, and SOX. To further minimize potential effects, during construction and grading work, the construction contractor would ensure standard construction practices set forth in the SCAQMD Handbook are implemented. In addition, the following mitigation measures would be implemented:

- During construction, the applicant would ensure standard construction practices, as set forth in the SCAQMD Handbook, are implemented.
- During construction, the applicant would ensure all construction equipment is properly serviced and maintained in good operating condition to reduce emissions. The SCAQMD requires that fuel injection timing be retarded 2 degrees from the manufacturer's recommendation and use high-pressure injectors.
- During construction, the applicant would ensure that low emission mobile construction equipment is used (replace diesel-powered equipment with gasoline-powered equipment), where feasible, during the preparation, grading, excavation, and construction of the proposed project components.
- During construction, the applicant would ensure that proposed project-specific sites are watered and that construction trucks pass through a shaker grate to remove excess dirt prior to exiting the site.
- During construction, the applicant would ensure that when soil is transported the operator: 1) employs water to moisten earthen surface prior to disturbance and immediately after disturbance; 2) controls runoff so it does not saturate the surface of unpaved haul roads and cause track-off; and 3) employs watering as an emergency measure during high wind events to stabilize active dust surfaces including, but not limited to, soil piles, unpaved roads, and unpaved parking areas.
- During construction, the applicant would ensure that water-wetting methods and soil-binders are used on exposed soil stockpiles, unpaved roads, and unpaved parking areas. Active grading areas would be watered at least two times each workday, as needed, to prevent visible plumes from exiting the project site.
- During construction, the applicant would ensure that during site preparation, grading, excavation, and construction, nontoxic chemical soil stabilizers such as Soil Sement are applied, according to the manufacturer's specification, to all inactive construction areas, defined as previously graded areas, which are inactive for 96 hours or more.
- During construction, the applicant shall ensure that during site preparation, grading, excavation, and construction, public streets are swept if silt is deposited on these roads from construction work within the project site.
- During construction, the applicant would ensure that site preparation, grading, excavation, and construction operations are suspended when wind speeds exceed 25 miles per hour.
- During construction, the applicant would ensure that during site preparation, grading, excavation, and construction, low sulfur fuel is used for stationary construction equipment.
- During construction, the applicant would ensure that during site preparation, grading, excavation, and construction, on-site power sources are used rather than temporary diesel or gasoline internal combustion engine generators when feasible.
- During construction, the applicant would ensure that low volatile organic compound coatings, solvents, and asphalt be used where feasible.
- During construction and operation, the applicant shall ensure that idling of delivery trucks be kept to a minimum and, where feasible, should be limited to no longer than 5 minutes.
- During operation, the facility operator would ensure that idling of boats at the queuing dock be limited to no longer than 5 minutes.

### Construction Schedule

Construction of the project, including demolition, is expected to take approximately 11 months, with an anticipated completion date in late 2018. The County Department of Beaches & Harbors plans to temporarily relocate existing Sheriff and lifeguard functions to a nearby location during construction and clean-up. Construction staging is expected to be limited to worker parking and periodic, short-term storage of materials. The staging area would likely be on site or in an area of the adjacent launch ramp property or Parcel 77. In compliance with LACC §22.46.1180, construction work and staging are not expected to result in a closure of the nearby bike path that runs along Fiji Way adjacent to the site.

The demolition and construction timelines and number of pieces of heavy equipment for the project are estimated below:

- Demolition: 30 days using six pieces of equipment. Demolition includes two structures totaling approximately 3,100 square feet with a volume of 30,000 cubic feet of material.
- Mass Grading: 1 month using nine pieces of equipment. Mass grading includes land clearing and grubbing operations. Also included are parking lot and pile driving operations along the waterfront.
- Fine Grading: 2 weeks using four pieces of equipment. Fine grading is the preparation of the ground surface for construction to achieve final site grade.
- Site Trenching/Foundation Work: 2 weeks using four pieces of equipment. This phase includes site preparation for utilities and foundation/footing work.
- Building Construction: 6 months using 11 pieces of equipment. Construction includes the fabrication of the boat storage structure and the construction of the customer lounge/offices and the Sheriff's Lifeguard facility, as well as crane installation and waterside improvements.
- Architectural Coatings: 2 months. This phase includes finish work and application of paint and coatings.
- Asphalt Paving: 10 days using nine pieces of equipment. This phase includes paving of the parking lot and certain other areas of the site.
- Landscaping. This phase could occur concurrently with other phases of the project.

The proposed timelines and equipment are based on the potential longest construction schedule. Construction equipment would include trucks, graders, bulldozers, and concrete mixers. Additionally, pile driving equipment is necessary to complete land and waterside components, and cranes are necessary to construct the dry stack boat storage structure. A construction phasing plan would further identify demolition plans and construction staging. Best management practices would also be incorporated into the construction phasing plans to minimize construction-related impacts on surrounding uses.

In summary the proposed construction schedule is reasonable and would result in temporary impacts to traffic, air quality, and noise. Furthermore, each of the above described impacts would be short-term for each of the proposed construction parts resulting in temporary impacts that are shorter than the overall estimated 11 month construction schedule. The Corps has determined the proposed project would result in minor and temporary impacts to noise, vehicular traffic, and air quality and no significant adverse impacts.

**Topic 6 – Increased boat congestion traffic. Impacts to novice boater safety at the nearby public boat launch ramps. Changes in vehicular (car/truck) traffic.**

**Potential Boat Congestion.** As depicted in Exhibit 4.3-4 of the EIR, the queuing space proposed is based on an analysis of peak boat usage periods for boat facilities and the forecasted number of boats that can be moved by the crane in 1 hour. Observed patterns demonstrate that, even on peak days, no more than one-third of the boats could be removed from the facility for queuing. With a capacity for queuing 59 boats and the ability to retrieve about 6 boats per hour, 72 boats could be retrieved in a 12-hour work day. Therefore, more capacity would exist to handle (retrieve or temporarily queue) boats than would be anticipated.

The following operational parameters and metrics would also be used to further elevate efficiency and ensure that there would be no wait to access the dry stack and that there would always be open dock space available for clients to disembark:

- Electric-powered, hydraulically driven gantry crane is capable of 5 to 12 launch and retrieval tasks per hour, depending on whether vessels are carried on both the inbound and outbound phase and how proximate within the racking system the two subject vessels are located. For operational planning purposes, Boat Central assumes an operational capacity of 6-7 vessels launched and/or retrieved per hour. The facility could handle more vessels per day with more staff, extended hours of operation, and scheduling efficiency of which vessels are moved on a given crane phase.

- It is anticipated that, on occasion, during peak periods, some vessels may be docked overnight and retrieved the next day to provide for the efficient allocation of staff resources. Also, reservations for launches early the next day will be pre-launched the prior afternoon to provide for the proper allocation of staff and to maintain the ability to immediately handle walk-in requests for launches.

- Boat Central will use a client reservation system (call prior to the desired scheduled departure and designate the expected return times) that will provide them the ability to manage the flow of vessels and ensure adequate staff are scheduled to handle (pre-launch and staged retrieval) peak period demand.

- The queuing dock system can easily temporarily store three to four dozen boats (more if two boats are side-tied).

An analysis was conducted to look at existing vessel traffic in Basin H (“Basin H Vessel Traffic Study” Blue Water Design Group 2012). Basin H uses include Parcel EE (Chace Park), Parcel 47/48 (Sea Scouts), Parcel 77 (Boat Storage), Parcel 52R/GG, Boat Yard Slips/Yard Operations, Windward Yacht Center Slips/Yard Operations, Rowing Center and the public launch ramps as frequently used parcels with vessel storage and launching facilities. Parcel EE uses a few limited number of vessels, Parcel 48 uses 11 vessels, and Parcel 77 launches vessels 18-24 foot in size. Combining all vessels from these parcels in Basin H results in an estimated total number of vessels launched in one day as 505 vessels, or 42 vessels /hour. Given the 200 foot wide basin by 1,700 feet long, 42 vessels launching per hour from different locations within the Basin H allows approximately (340,000 square feet / 42 vessels/hour) 8,095 square foot area per boat. The proposed project which would add an additional 7 vessels per hour during peak use times, or

16%, would increase vessel traffic. Adding an additional 7 vessel/hour would result in a total of 49 vessels/hour launching in Basin H resulting in approximately 6,938 square feet of individual space in the basin per vessel. However, because the addition of similar vessels would be minimal and of the same type of vessels currently in the marina, the new vessels are compatible with existing uses and traffic. The addition of vessels does not in and of itself create measurable impacts on in-water vessel congestion, as vessel use is highly variable during times and days throughout the year. Furthermore, the location of the proposed dry stack storage operation in proximity of the existing launch ramp is also a compatible use given the similarity of the vessel mix, sizes, and destinations. In summary the Corps has determined the increase in boat traffic ('congestion') would be minor, variable given the day and time, and compatible with existing uses, resulting in negligible increases in vessel traffic in Basin H.

#### Novice Boater Safety and Maneuverability

At the east end of Basin H are three County public boat launch ramps. The distance between each ramp is approximately 40 feet for boaters to launch, turn, and maneuver vessels. As depicted in the Launch Ramp Navigational Area Maneuverability Study (Appendix E), the southern launch ramp is the ramp closest to the proposed project. Based on the design of the proposed project docks, the width available for public boat launching, turning, and general maneuverability at the most southern County boat launch ramp would not be reduced any less than what currently exists between the other launch ramps. Additionally, the width between the tip of the nearest proposed project dock and the southwest corner of the nearest launch ramp would be 75 feet, more than 1.5 times that of the existing width (40 feet) between the other launch ramps. Vessels launching at these locations include similar types of vessels operating at slow speeds as required in a harbor. While private vessels operated by the public can result in minor and major collisions or accidents, the proposed project would not change the general nature of public novice operation errors. The proposed project dock provides enough space for single lane vessel clearance and operation, or double lane vessel clearance and operation. It is typical for boat operators to change their vessel operation projection, speed, and maneuverability based on obstacles and vessels within their vicinity. Therefore the Corps assumes operators would maintain these same practices with or without the proposed project. While the proposed dock does result in new in-water dock structures where lesser structures previously existed, the proposed project does not pose an unacceptable new hazard or risk atypical for marinas. If vessel operators who launch their vessels from the public launch ramps previously drove their vessel into the proposed project site area, when the proposed new docks are installed, the operators would simply need to operate their vessel less close to the proposed project site to avoid the new structures. While the current open water area within the proposed project site does allow for vessels to operate there now, there are few areas like this throughout the remainder of the marina and they are not necessary as they have little utility for vessel storage services. Marina del Rey's primary purpose is boat storage for parked vessels, and vessels underway are typically headed out of the marina. Secondarily the marina supports recreation for small watercraft like kayaks and inflatable boats. These vessels do not require a normal vessel slip to park and are generally stored offsite from the marina. In summary, the proposed project does not provide an unusual, new, or unacceptable risk or hazard to boater safety or maneuverability from its configuration and design. Increases in the number of vessels and increase of in-water structures would result in negligible impacts to safety and maneuverability.

Vehicular (car/truck) Traffic Generation/Distribution and Assignment/Ambient Growth/Volumes

Vehicle trip ends, used to calculate traffic generation, are defined as one-way vehicular movements, either entering or exiting the generating land use. As described in Section 5.11 of the certified EIR and shown in Table 1, the proposed project is anticipated to generate approximately 125 daily trips, with 18 trips produced in the a.m. peak hour and 18 trips produced in the p.m. peak hour on a typical weekday. In general, the proposed project is forecasted to result in significantly less vehicle trips during peak hours because wet slips (existing conditions) provide both boat storage and a recreational component, whereas dry stack (proposed project) typically only provides boat storage.

**Table 1  
Traffic Generation Forecast**

Description	a.m. Peak Hour			p.m. Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total
Existing Conditions (marina)	16	31	47	19	32	51
Proposed Project (dry stack facility)	12	6	18	2	16	18

The study area includes three intersections within the County jurisdiction and three intersections within both the County and City of Los Angeles (City) jurisdictions as follows:

- Admiralty Way at Fiji Way (County)
- Admiralty Way at Mindanao Way (County)
- Admiralty Way at Bali Way (County)
- Lincoln Boulevard at Fiji Way (City/County)
- Lincoln Boulevard at Mindanao Way (City/County)
- Lincoln Boulevard at Bali Way (City/County)

All six key study intersections are expected to continue to operate at a level of service (LOS) of C (LOS-C or “good” as defined by the Transportation Research Board; TRB 1980) or better during the a.m. and p.m. peak hours under existing plus ambient growth plus project traffic conditions. Using the Critical Movement Analysis methodology for signalized intersections per Los Angeles Department of Transportation traffic study guidelines, the traffic analysis indicated project-related traffic would not have a significant impact at any of the three key study intersections under both City and County jurisdiction when compared to the significant traffic criteria used in the report. While the intersections of Lincoln Boulevard/Fiji Way and Lincoln Boulevard/Mindanao Way would operate at LOS-E or “poor” during p.m. peak hour, the project would add less than 0.010 to the Intersection Capacity Utilization value. The level of significance after mitigation for other traffic and transportation resource topics is further described in Section 5.11.5 of the EIR. In summary, the proposed project would result in negligible change in vehicular traffic and no significant impacts.

**Topic 7 – Impacts to views of Ballona Wetlands.**

Marina del Rey is relatively flat with no adjacent hills or mountains nearby the project area. As noted in the response to Comment No. 2, views of Ballona Wetlands from Fiji Way would remain unobstructed. Views of the wetland from north of the project site are also limited due to the flat topography of the area, existing development, and lack of elevational advantage to overlook the wetlands. The project would simply have no effect on Ballona Wetlands, nor its views.

**Topic 8 – Suggestions an EIS should be prepared.**

Public comments received include requests or statements that an EIS should be prepared for the proposed project. Comments assert that recent, current, and upcoming projects throughout the harbor should be analyzed in an EIS. The proposed project which is limited to Parcel 52 and its waterfront would modify an existing paved parking lot and result in minor effects to Section 10 WOUS, no discharge of fill material, no impacts to eelgrass nor substantial impacts to Essential Fish Habitat, and only temporary impacts to water quality and substrate from construction. Effects to public interest factors like changes in the existing temporary parking lot, changes to navigation, changes to aesthetics, have been minimized and remaining effects would be mitigated as described in this document. Therefore no impact would rise to a significant adverse impact. In addition, the proposed project is independent, not connected to any other existing or proposed project, and not dependent on any other project. While the project would provide dry-stack boat storage which is not the primary method of boat storage in Southern California, use of a crane is not uncommon and cranes are used to hoist boats throughout harbors and piers in Southern California. The proposed project fits within the harbor Sponsor's Land Use Plan for dry-stack storage, as well as the Los Angeles County Code restrictions. Lastly, the proposed project does not fit any of the EIS CEQ consideration criteria that would require an EIS. The project would not result in significant impacts to public health or safety, would not affect a unique geographic or ecological area, effects on the quality of the human environment are not likely to be significantly controversial, effects are not highly uncertain or unknown, it would not significantly establish a precedent for future actions, would not result in significant cumulative impacts on the environment, would not adversely affect eligible historical/scientific/cultural resources, would not significantly adversely affect endangered or threatened species or critical habitat, would not threaten a violation of federal, state, or local law and requirements for protection of the environment. Overall Marina del Rey is a boat harbor and the proposed project would remain consistent with that use and function as well as support additional and enhanced boat services. Therefore requests for an EIS are denied because no significant impacts would occur.

3.4.5 The site was not visited by the Corps since aerial photographs were adequate and the project site is mostly parking lot.

3.4.6 Issues identified by the Corps. Similar issues identified by other agencies: No other agencies have provided comments or concerns on the project.

3.4.7 Issues/comments forwarded to the applicant. The Corps forwarded all written and verbal (hearing transcript) comments on June 2, 2016 to the applicant for their

review, consideration, and opportunity to respond.

#### 3.4.8 Applicant replied/provided views.

Refer to the enclosed summary of comments received during the public hearing. The applicant reviewed the verbal and written comments received and provided a response to comments on June 16, 2016 and July 12, 2016.

#### 3.4.9 The following comments are not discussed further in this document as they are outside the Corps purview.

The Corps received both written and verbal comments which were outside the Corps' purview and therefore were noted or discussed, but not considered further in analyses:

- Dry-stack details of how facility mechanically operates. The proposed facility operation is reasonable and the Corps does provide further engineering advice.
- The cost of docking a vessel in the dry-stack facility. The costs of utilizing the facility are up to the business owner and Los Angeles County. The Corps has no opinion or comment on costs to keep a vessel at the proposed facility.
- The connection culvert channel between Ballona wetlands and the harbor. The proposed project would not modify or alter the culvert channel and water would continue to flow. Therefore there are no unresolved issues for this topic.
- Products created or used by vessel owners. The vessel washing and keeping products utilized by vessel owners is not regulated by the Corps. An existing MS4 water quality permit is in place by the authority who regulates water quality (Regional/State Waterboard). Therefore, this topic is outside the Corps' purview.
- The approval of House Document 389 and Memo for Marina del Rey Harbor. See previous discussion (Section 3.4.2 above).
- The developments planned by the L.A. County Board of Supervisors for MDR. Corps Regulatory has no interaction or control over the plans made by local municipalities for development. We review individual permit applications for projects within our jurisdiction. The general control over trends in development are outside our purview.
- The price of parking lots in Marina del Rey. Los Angeles County specifically determines the prices of parking throughout the marina. Prices can change at any time. Issues involving the price of parking should be resolved through Los Angeles County. The Corps has no control of parking for this project and it is outside our purview.
- The cause of, or change in vessel sizes and slips over the decades. The general trends in vessels used in the marina is completely outside the Corps' purview.
- All impacts to birds and wildlife in the entire region. The Corps determines impacts to federally-listed threatened or endangered species and critical habitat. The project contains none and none would be affected. Any impacts to other non-federal birds and wildlife are outside the purview of the Corps. Moreover, all impacts to birds and wildlife in the region is outside the scope of the proposed

- project.
- The capability of vessel owners to operate their vessels. The ability of vessel owners to operate or safety operate their vessels is outside the Corps' purview. Navigation obstacles and vessel traffic issues were analyzed and considered in this document.
- Reiterated laws, regulations, and policies of agencies or the government sent to us. We are aware of all applicable laws and considered and met all requirements in this document. Therefore those items have been addressed.
- All other comments, media, figures, and materials provided by stakeholders were reviewed and are noted.

4.0 Alternatives (33 C.F.R. 320.4(b)(4), 40 C.F.R. 230.10):

4.1 Basic and Overall Project Purpose (as stated by applicant and independent definition by Corps) and NEPA Purpose and Need.

- The basic and overall project purpose is identical to what is shown in the Project Purpose in Paragraph 1 (Section 1.4.2).
- Revised:

4.2 Water Dependency Determination.

- Same as in Paragraph 1.
- Revised:

4.3 Applicant Preferred Alternative Site ('Proposed Project') and Site Configuration.

- Same as Project Description in Paragraph 1.
- Revised:

**Criteria:** The Corps criteria for reviewing a range of NEPA alternatives included avoiding, minimizing, and mitigating impacts to waters of the United States, selection of the reasonable project alternative, and ensuring that the project does not result in unacceptable impacts to public interest concerns.

Criteria	Measurement and/or constraint
Acreege of impacts to Section 10 waters of the United States (WOUS).	Acres of impacts to WOUS. Total acres overwater coverage from new structures and water quality considerations.
Navigation in Section 10 WOUS.	Ensuring work does not adversely impact navigation, channel configuration, operation, traffic, and vessel maneuverability. Yes/No.
Aesthetics	New building and dock viewshed (%) and materials. Percentage and compatibility.
Recreation	New vessel storage and slip support. Number of storage spaces and vessel slips.
Feasibility/Logistics	The feasibility of the project in terms of operation, efficiency, and cost-effectiveness.

4.4 **Off-site** Locations and Configuration(s) for each of the following alternatives:

Off-site alternatives were considered but are not carried forward for detailed analysis. Undeveloped waterfront sites in the Marina del Rey Harbor are extremely limited, as the harbor is extensively developed and where opportunities exist, there are new facilities currently in the planning and permitting phase. Moreover, the development of this dry stack boat storage in its' current location has been cited and approved as part of the amended Marina del Rey Local Coastal Program (LCP) and Land Use Plan (LUP).

**Off-site locations and configurations**

<b>Description</b>	<b>Comparison to criteria</b>
Construct the proposed facility in a different location within the Marina del Rey Harbor.	No potential sites were identified because Marina del Rey is fully built out. Even if a site was available constructing the same facility at a different site would not result in lesser impacts to aquatic resources nor similar public interest factor concerns.

Off-site alternatives would entail a different facility in a different location within the Marina del Rey Harbor designed to fit the available space. No alternative sites are owned or leased by the applicant and no areas were identified as available as potential options. Further, any other potential sites are similarly developed as the proposed project site, and would likely not result in any reduced impacts or reduced public interest concerns. The current public interest concerns, including navigation, aesthetics, and impacts to dry land would be the very similar at other locations. Because the proposed project would result in only minor and temporary impacts to aquatic resources, it is unlikely another site would result in any lesser amount of impacts. Therefore, off-site alternatives were not analyzed.

( NA) Site selected for further analysis and why: N/A.

4.5 **On-site Configurations:**

On-site configurations include the Proposed Project and a "Reduced Over-water Coverage Alternative".

**Reduced Over-water Coverage Alternative Description:**

The total overwater coverage of the in-water docks would be reduced by 25%. Because loading and unloading rates would also decrease, efficiency and effectiveness would reduce causing reduced boater and recreational benefits.

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MDR Basin H Boat Central-Dry Boat Storage Project

Below is the summary of all alternatives considered:

	Criteria 1: Section 10 WOUS	Criteria 2: Navigation	Criteria 3: Aesthetics	Criteria 4: Recreation	Criteria 5: Logistics/Feasibility	Meets Project Purpose and Need (Y/N)	Reasonable Alternative (Y/N)
<b>No Federal Action</b>	None.	None.	None.	None.	None.	No.	No.
<b>Proposed Project</b>	New overwater coverage of 10,939 square feet (0.25 acre).	Minor impact.	The proposed project would maintain a horizontal 50% view corridor of the waterfront and blend with surroundings. In-water docks/slips blend with marina resulting in minor impacts.	Provides 345 dry-stack boat storage spaces.	The proposed design is logistically feasible and would allow accommodation of the proposed 345 vessels stored to be retrieved efficiently by owners when requested.	Yes.	Yes.
<b>Reduced Overwater Coverage alternative</b>	Twenty-six percent reduction in overwater coverage compared to Proposed Project, resulting in 8,095 square feet (0.18 acre) overwater coverage.	Minor impact.	The proposed project would maintain a horizontal 50% view corridor of the waterfront and blend with surroundings. In-water docks/slips blend with marina resulting in minor impacts.	Provides 345 dry-stack boat storage spaces.	This alternative design would reduce efficiency of vessel retrieval and is not logistically feasible.	No.	No.

#### Proposed project description:

New overwater coverage of 10,939 square feet (0.25 acre) from new docks/gangways with temporary storage of queued vessels, resulting in both minor impacts to Section 10 WOUS from increased shading area to the unconsolidated substrate and temporary disturbance to bottom sediments and water turbidity. New in-water structures (0.25 acre) resulting in no impacts to normal navigation. Minor increased in-water vessel traffic: approx. 7 launches/ hour (72 launches/12-hours) resulting in a potential 14% increase in vessel congestion during peak hours/days in Basin H. The proposed project would provide a horizontal 50% view corridor of the waterfront. The storage building materials and colors would be neutral and blend with the existing landscape and infrastructure. Translucent (but not transparent) materials would also allow birds to detect the building and prevent collisions. The building height of 75 feet is within the L.A. County limits and would blend with other nearby tall infrastructure in the marina, including tall stores and hotels. The tall crane would be enclosed in a casing for protection and to blend in with the surrounding structures. The new storage facility would therefore result in minor impacts to aesthetics. The entire marina consists of thousands of in-water dock slips and the installation of the additional docks would be very similar aesthetically to the existing in-water docks. The change would be consistent with the aesthetics of the existing marina and would result in minor adverse impacts to aesthetics. The proposed project would result in increased recreational benefits to boaters through vessel storage (especially for smaller vessels 18-35 feet length) by providing new boat storage in a dry-stack facility and new dock facilities for dispatch. The proposed project provides efficient retrieval of boats for owners with relatively minor wait times. The effects of new in-water docks may modify existing boater routes, but would result in minor impacts to recreation. The proposed project would include a total of 59 In-water slips to queue and receive vessels, with 33 queued vessel slips and 26 overflow queued vessel slips. The proposed project would result in efficient utilization of dry-stack storage via retrieval of vessels to in-water docks and re-storage of vessels. The maximum retrieval rate is derived from Newport Beach dry-stack facility example which supports up to 60 vessels/day egress/ingress during peak hours and is currently at full capacity. The proposed design is logistically feasible and would allow accommodation of the proposed 345 vessels stored to be retrieved efficiently by owners on demand. The proposed project results in minor adverse and temporary impacts to WOUS and minimal adverse impacts to public interest factors. The project provides 345 dry-stack boat storage spaces (for smaller size vessels) to meet the projected demand for boat storage needs in Marina del Rey.

#### Reduced over-water coverage alternative description:

This alternative would result in an effective 26% reduction in overwater coverage compared to the Proposed Project, resulting in 8,095 square feet (0.18 acre) of impact from new docks/gangways, with temporary storage of queued vessels. The reduced overwater coverage alternative would result in minor impacts to Section 10 WOUS from increased shading to the unconsolidated substrate and temporary disturbance to bottom sediments and water turbidity. New in-water structures (0.18 acre) resulting in minor impacts to normal navigation. Minor increased in-water vessel traffic: approx. 25% fewer vessels per hour, or approximately 5.25 launches/hour (54 launches/12-hour) resulting in a total 10% increase in vessel congestion during peak hours/days in Basin H. This alternative results in a minor increase in vessel congestion. In

addition, boat traffic is variable and fluctuates daily. Therefore some days may observe higher congestion and others lower congestion compared to existing conditions, but the average is expected to be relatively similar to existing conditions given the minor increase and compatible vessel types used in the Basin. The proposed storage building would result in similar impacts when compared to the Proposed Project (see above analysis). A 25% reduction in total in-water dock/gangway coverage would also result in similar, but slightly reduced impacts to aesthetics when compared to the Proposed Project (see above analysis). This alternative would result in reduced recreational benefits to boaters by providing similar vessel storage (especially for smaller vessels) when compared to the proposed project, but the efficiency of the facility would be reduced for queuing vessels from the dry-stack building to the in-water docks and back. There would be fewer in-water docks to hold queued vessels and returning vessels. The reduced in-water facilities would result in increased wait times to retrieve vessels and owners potentially using their vessel less or not at all. Due to the decrease in efficiency, the recreational benefits would be reduced and use of the facility would be adversely affected with this alternative. In summary, a slower retrieval egress/ingress rate due to fewer in-water slips would result in reduced benefits to recreation when compared to the proposed project. The effects of new in-water docks may modify existing boater routes and would be similar to the proposed project but slightly reduced. This alternative would provide 25% fewer in-water slips to queue and receive vessels, with approximately 24 queued vessel slips, 19 overflow queued vessel slips. This smaller capacity would reduce vessel retrieval egress/ingress rate efficiency and would not be able to accommodate the projected user demand rate. This alternative provides dry-stack storage for 345 smaller size vessels to assist with meeting the demand of growing local population, but the vessels cannot be retrieved efficiently for vessel owners within a reasonable time to meet the projected demand. Therefore the proposed alternative meets the purpose of physically storing 345 vessels, but does not meet the purpose of allowing owners to efficiently use the stored vessels consistent with the stated project purpose and need. The proposed in-water slips are needed to hold the high volume of stored vessels (345). The disadvantage of dry-stack storage is it requires assistance from facility operators to retrieve vessels, rather than an owner being able to launch on their own schedule. Therefore owners must be able to access their vessels efficiently for the facility to achieve its purpose of supporting recreational boating. With the reduced in-water slips, the storage facility would not be able to accommodate the estimated daily retrieval rate, effectively reducing the number of recreational vessels that can be launched for boaters. This alternative would not be reasonable because the reduced slip space would not meet the projected vessel demand or facility purpose. In addition, this alternative would provide only minor reduced environmental impacts when compared to the proposed project. Furthermore, this alternative would result in similar but slightly reduced adverse impacts to public interest factors.

4.6 Other Alternatives Not Requiring a Permit, Including No Federal Action.

Alt. Name		
	Criteria	Description
<b>No Federal Action:</b>	Criteria 1: Impacts to WOUS	With No Federal Action, the proposed land-based dry-stack facility that would provide boat storage for vessels would not be constructed. No

		impacts would occur to navigable waters and there would be no in- water structures. In addition, this alternative would not result in any impacts to general environmental concerns, wetlands, historic properties, land use, shore erosion and accretion, safety, or any other public interest factors listed at 33 CFR Part 320.4.
	Criteria 2: Navigation	No project would occur so there would be no change in navigation or vessel traffic.
	Criteria 3: Aesthetics	No project would occur so there would be no change in aesthetics.
	Criteria 4: Recreation	No project would occur so there would be no change in recreation.
	Criteria 5: Logistics/Feasibility	No project would occur so there would be no change in logistics.
	Meets Purpose (Y/N)?	No project would occur and no boat storage facilities would be constructed so this alternative would not meet the project purpose or need to provide boat storage facilities.
	Reasonable alternative (Y/N)?	No project would occur and not meet the purpose and need, so this alternative is not reasonable.

### Alternatives Analysis

\*The alternatives analysis identifies a reasonable range of alternatives under NEPA.

#### 4.7 Alternatives Not Practicable or Reasonable:

The No Federal Action is not practicable or reasonable because no part of the project can be conducted under this alternative and it therefore does not meet the project purpose.

An off-site alternative is not logistically feasible given the project purpose to build a dry stack storage facility that would increase and support public use and recreation. Alternative locations are not available in the Marina del Rey Harbor.

The Reduced-Overwater Coverage alternative is not logistically feasible because reduced in-water slips would substantially reduce the total operation rate and efficiency of the dry-stack storage facility and not meet the need to provide timely vessel in- and out-processing for recreation.

#### 4.8 Alternatives Carried Forward for Further Analysis:

The Proposed Project and No Federal Action (see Section 4.6 for analysis of the No Federal Action alternative).

- 5.0 Environmental Consequences: This section contains a discussion of the possible effects of the proposed project and alternatives for the specific environmental issue (resource) areas identified by the Corps. Potential direct, indirect (secondary), permanent, and temporary impacts are evaluated in this section.

#### Physical/Chemical Characteristics.

##### 5.1 Substrate:

The water portion of the site currently contains cement seawall, rock riprap, and unconsolidated sand-to-silty sediments beyond the areas of the current piers, as determined by the marine biological survey conducted in 2007. No change to the substrate of the site is expected due to this project, as no dredging or filling would occur. Current pilings supporting dock structures would be removed and replaced with new piles to install the queuing dock and support the over-water portion of the dry stack storage. Therefore the piles would result in an impact to substrate but no high value resources. Because the piling materials are inert, they would not adversely impact substrate after installation. The temporary impacts to substrate by entrainment of unconsolidated sand/silt into the water column is a temporary impact.

##### 5.2 Current Patterns and Water Circulation (and fluctuation):

Current patterns and water circulation within Marina del Rey Harbor are largely driven by tidal influences and wind. No structures with the potential to block tidal influences are proposed for this project and no impacts would occur to tidal water fluctuations. Any changes or blocks in local wind from the proposed 75-foot tall building structure would be neutral to negligible.

##### 5.3 Suspended Particulates/Turbidity:

Construction work at the project site would temporarily increase suspended particulates in Marina del Rey Harbor. The applicant has committed to using best management practices (BMPs) and mitigation and minimization procedures to limit this impact during the construction phase of the project. These are listed in Paragraph 1.6 and include the use of silt curtains and slowly pulling piles to allow sediment to slough off rather than being suspended in the water column, resulting in temporary impacts. These mitigation measures would also be compliant with those laid out in the CEQA document for the project. No long-term impacts to suspended particulates and turbidity are expected for the project, and all suspension of particulates and/or increased turbidity would dissipate quickly after disturbance. Therefore all impacts to suspended sediment and turbidity would be temporary.

##### 5.4 Normal Water Level Fluctuations:

See Paragraph 5.2.

#### 5.5 Flood Hazards and Floodplain Values:

The project site is designated to be within two flood hazard areas based on the Federal Emergency Management Agency's (FEMA's) Flood Rate Insurance Map (FIRM Number 06037 C1752F, 9/26/08). The water side of the project is within Flood Zone AE, and the land side is within Flood Zone X. For the in-water portions of the project, the 100-year flow event elevation was determined to be approximately 9.5 feet above sea level. However, flooding at the site is much more likely due to tsunami events, which is reflected in the Zone AE designation by FEMA. Beyond the insurance by the applicant for the project site, the project would be buffered from tsunami-affected flood and wave hazards both by its lengthy distance from the marina opening (1,500 feet) and also by the existing harbor seawall. Sea level rise in the future would not be expected to affect the project structures due to its position and protection as described above.

#### 5.6 Storm, Wave, and Erosion Buffers:

See Paragraph 5.5.

#### 5.7 Erosion and Accretion Patterns:

Erosion is currently controlled at the project site by concrete seawalls and other man-made structures. No changes to these structures are proposed as a result of the project.

#### 5.8 Water Quality, Including Salinity Gradients:

Temporary impacts to water quality may occur due to construction work; the applicant has agreed to BMPs and monitoring of water quality throughout this phase and use of silt curtains during pile removal and installation. No substantial long-term impacts to water quality are expected from the project, however minor increased adverse impacts to water quality are expected, as vessels are associated with exhaust, fuel, and other products that can be harmful to water quality health. No adverse impacts to salinity are expected.

Sediment resuspension may allow sediment contaminants to be resuspended in the water column, if present but would settle and result in a temporary impact. Bottom disturbing work that could result in sediment resuspension would be limited to localized short-term impacts associated with pile driving; no dredging is proposed. Potential effects would be mitigated by implementing operational and construction BMPs, including proper material handling procedures. By storing vessels on dry land, associated toxins and fluids from vessels would not enter the water. Therefore the storage of 345 temporarily queued into the wet slips would result in a significantly lower adverse impact on water quality. As a result of avoidance and minimization measures the proposed project and nature of the dry-stack project, it would not result in degradation of marine water quality and would result in minor to negligible adverse impacts to water quality.

#### 5.9 Aquifer Recharge:

Much of the current project area is paved, and impermeable surface and runoff is transported off site. The project impacts and future impacts would remain largely unaffected. The project would not have any impacts related to saltwater intrusion into coastal Los Angeles aquifers (West Coast Basin) resulting in no effect to aquifer recharge..

#### 5.10 Baseflow:

No current flow is observed at the project site, nor would any baseflow changes be generated by the project. Therefore, no impacts to baseflow would occur.

5.11 Mixing zone, in light of the depth of water at the disposal site; current velocity, direction and variability at the disposal site; degree of turbulence; water column stratification discharge vessel speed and direction; rate of discharges per unit of time; and any other relevant factors affecting rates and patterns of mixing: [*Only for projects involving the discharge of dredged material*]

The proposed project does not involve dredging or the discharge of dredged materials so there would not no effects to the mixing zone.

#### Biological Characteristics.

5.12 Special Aquatic Sites (wetlands, mud flats, vegetated shallows, riffle and pool complexes, coral reefs, sanctuaries, and refuges):

No Special Aquatic Sites are present on or near the proposed project site. The Ballona Wetlands is approximately 0.1 mile away from the project site but is separated by a wide road and elevation differences. CEQA regulations and construction BMPs measures would be in place during construction.

5.13 Fish, Crustaceans, Mollusks, and Other Aquatic Organisms in the Food Web:

Benthic organisms live in the typical soft-bottom habitat found within the marina. Surveys conducted showed “normal” conditions of infauna at the sea floor. These species would be impacted by pile driving work and placement of piles. In addition, any organisms living on water piling would be impacted. However the substrate area that would be taken up by the piles is small and the small loss of seafloor would be a temporary impact to organism, as these types of organism can recolonize in the surrounding substrates.

This portion of Marina del Rey is listed as EFH and is occupied by a number of species, but none federally listed under the Endangered Species Act. The proposed project is

located within Essential Fish Habitat (EFH) as described by the Coastal Pelagic Species and Pacific Coast Groundfish Fishery Management Plans. As is typical in the basin, no eelgrass (*Zostera marina*) was observed in the project area during a survey conducted on October 17, 2006 and none is expected to occur. Ditchgrass (*Ruppia maritime*) has been observed prior to 2008 surveys but according to Coastal Resources Management, has not been observed since. In addition, there is no kelp and none is expected to occur. EcoAtlas.org was reviewed and does not indicate eelgrass presence. Any impacts to transitory EFH species would be temporary, and mobile organisms would be expected to move away from the project site when the water and substrate is temporarily disturbed. The new proposed docks would result in new shading effects to the substrate, shading by vessels temporarily as they are queued, and new piles in the substrate. However the impacts would occur to low functioning seafloor and construction would be temporary. The area would continue to support marine species, even in shaded areas. In summary adverse effects from the project to EFH would be minor.

#### 5.14 Wildlife Values:

See Paragraphs 5.13 and 5.15.

#### 5.15 Threatened and Endangered Species (TES):

The California least tern, a federally and state-listed endangered species, uses open sandy or gravelly shores with light-colored substrates, little vegetation, and nearby fishing waters for nesting. The project area does not provide suitable nesting or foraging habitat for California least terns due to the high level of human activity and developed shores. The nearest known nesting location is approximately 1 mile away along Venice Beach. Therefore the project would have no effect to TES.

#### 5.16 Biological Availability of Possible Contaminants in Dredged or Fill Material, considering hydrography in relation to known or anticipated sources of contaminants; results of previous testing of material from the vicinity of the project; known significant sources of persistent pesticides from land runoff or percolation; spill records for petroleum products or designated (Section 311 of the CWA) hazardous substances; other public records of significant introduction of contaminants from industries, municipalities, or other sources:

No dredging is proposed as part of the project so no impacts would occur.

#### Human Use Characteristics.

#### 5.17 Water Supply and Conservation:

Not applicable.

#### 5.18 Aesthetics:

The proposed project took aesthetics and, in particular, the view of the waterway into account throughout the design process. The proposed upland storage facility is tall and narrow and within the 75-foot height limit afforded to the Boat Storage land use category in Los Angeles County, and measures have been taken to reduce the impact of the structure's scale by selecting its orientation. However, the building is large in size and partially obscures line-of-sight in the area because it takes up space that was previously flat parking lot. In addition, translucent and transparent building materials are incorporated into the structure, allowing for passage of light, providing for all daytime lighting needs inside the structure while minimizing the shade impact. Finally, the proposed project is similar to and consistent with other surrounding uses (boat ramps, docks, and marinas) and would include similar landscaping. Other tall buildings in the marina include Naos Yachts Sales, Superstar Power Productions, the Ritz-Carlton Hotel, and Archstone Breakwater. Lastly the Los Angeles County Board and California Coastal Commission completed their approvals of the design. Therefore the project would result in an adverse effect to aesthetics because the structure is a new facility which changes the view-shed character within and around the project area. However, through the planning process the proposed design attempts to mitigate any adverse aesthetics by use of materials and appearance. In-water docks/gangways would be consistent with the existing conditions of the marina and therefore result in no change to aesthetics. In summary, impacts to aesthetics would be offset by design features leaving only negligible adverse impacts to aesthetics.

#### 5.19 Traffic/Transportation Patterns:

The upland facility is adjacent to Fiji Way, a main thoroughfare in Marina del Rey. As part of considerations during the CEQA process, steps were taken to mitigate impact on traffic in the area due to construction work and the completed project post-construction. Traffic patterns may increase at peak periods such as holidays, but this would be consistent with overall increases in traffic throughout Marina del Rey during these periods. As a result the proposed project would result in minor impacts to traffic as boat-owners arrive on-site and park in the parking lot in order to take their boat on the water. The dry-stack storage building which would support up to 7 boat launches per hour may increase current vehicular traffic in the parking lot and on the street from customers coming and going. For in-water traffic considerations see Paragraph 5.24 above.

#### 5.20 Noise:

The levels of noise were estimated in the area during the CEQA process. The project site is currently affected by noise from adjacent development, from vehicles both within the site and on surrounding roadways, and general noise from airplane traffic generated by the nearby Los Angeles International Airport. During construction, BMPs would be employed to limit noise in compliance with the Los Angeles County Construction Noise Limits, including, construction timing schedules and the use of noise barriers.

The CEQA process estimates that new noise sources would be introduced into the area as a result of the project, primarily from the operation of the dry stack structure crane equipment. These include temporary increases in the ambient noise of more than 3 dB at commercial properties in the study area. Noise levels in exceeding 60 dB(A) during construction. Los Angeles County Code for exterior noise standards in a commercial property zone does not allow noise in excess of 60 dB(A) between 7:00 AM and 10:00 PM and no more than 55 dB(A) between 10:00 PM and 7:00 AM. However, post-construction impacts to noise would not result in the production of substantial increases above existing noise levels existing. Therefore the project would result in temporary impacts to noise during construction and minor, long-term impacts to noise post-construction from operation of the dry-stack storage facility and boaters.

#### 5.21 Safety:

The proposed structure would comply with all current and existing Americans with Disabilities Act (ADA) and Division of Boating and Waterways (DBW) standards to ensure the highest level of safety at the site. The operation of the proposed gantry crane is a new facility in Marina del Rey. The proposed gantry crane would be constructed within the central portion of the boat storage building, with the ability to move along the centerline to retrieve storage vessels. The legs of gantry cranes run along elevated fixed rails or runways to operate. The crane is used to hoist up the lift hoist in order to convey boats from the water to the dry stack storage space. The crane is electrically powered and therefore quieter than a forklift. To increase safety, operation, and reduce any interaction with birds, it would be contained by an overhead cover case. The proposed dry-stack facility would be expected to exercise caution using the crane as damage to property is costly and dangerous to life and property. In addition no access to the immediate waterfront between the boat storage facility and in-water dock slips would be permitted in order to ensure public person safety and reduce potential for hazard. Therefore the proposed project would result no adverse impacts to safety because they were considered in the project design. No public comments provided expressed concerns for safety in relation to the crane operations.

#### 5.22 Recreation:

The proposed project purpose is boat storage for recreation. By increasing the boat storage capacity within the marina (without increased in-water capacity) and by providing easy access to the recreational vessels stored, the facility would result in an increased benefit to recreation, in particular for boaters. Boating is associated with many other recreational activities like fishing, swimming, and general enjoyment (see above under Section 4.5).

#### 5.23 Recreational and Commercial Fisheries:

The proposed project is located within a highly developed area, Marina del Rey, whereby aquatic resources were previously impacted by its original installation. The project site provides limited resources for organisms associated with recreational and commercial fisheries. The NMFS (National Oceanic and Atmospheric Administration Fisheries)

concluded with the Corps determination the project would result in a minor adverse effect to EFH, provided no specific recommendations, but suggested consideration of cumulative impacts from increased overwater coverage. Therefore the project is expected to have a minor impact on EFH which supports recreational and commercial fisheries.

#### 5.24 Navigation:

See Section 3.4.2 above and Section 3.4.4 (Topic 6).

#### 5.25 Energy Needs:

During construction there would be an increased consumption of electricity and fossil fuels for construction purposes but the increase would be within acceptable limits and terminate following project completion. Therefore increases in energy for construction would be minimal. The project would also result in an increase of energy needs to support daily operations. Because the structure includes translucent window panels allowing natural light to enter, most all energy needs would be dedicated to the crane operation alone. The operation of the crane would only occur once a vessel is requested from the dry-stack facility and therefore would be sporadic and minimal. The increased usage of fossil fuels by vessel users would be consistent with uses throughout the harbor and mostly occur outside the project area. Any increased usage outside the project area would be minimal and dispersed. In summary, the project would result in minimal and temporary impacts to energy needs.

#### 5.26 Mineral Needs:

Not applicable.

#### 5.27 Economics:

The project entails construction of additional storage space for recreational vessels in Marina del Rey Harbor. This would benefit the area economically as it would attract vessels to the area and allow individuals to contribute financially to local establishments. The project would also create jobs at the dry stack storage facility. In summary the project would benefit economics.

#### 5.28 Food and Fiber Production:

Not applicable.

#### 5.29 Prime and Unique Farmland:

Not applicable.

#### 5.30 Considerations of Property Ownership:

All lands included in the project area are owned by Los Angeles County and have been identified as suitable areas in which to increase the boat storage capacity of the marina. The applicant signed a lease option for development of the project site in 2005. Therefore the proposed project would result in a positive consideration of property ownership.

#### 5.31 Land Use:

The project site is currently being used as a temporary parking lot (Parcel 52) as designated by Los Angeles County who manages the harbor. While the land use would change with the construction of the project to a Boat Storage use, part of the parking areas would remain in place. The proposed project would not change the developed status of the property and the changes in use would be consistent with Marina del Rey harbor uses. Therefore the proposed project would result in a changes to the parking lot from modifying a parking lot from 236 open public spaces to mast-up vessel storage and incidental parking for the boat storage facility and Sheriff's/Lifeguard facility. The proposed project would provide 1 space per 4 dry-dock spaces, 9 parking spaces for the Sheriff's facilities, and 32 extra spaces. The project would provide a total of 135 parking spaces, resulting in a surplus of spaces and sufficient parking for anticipated uses based on traffic studies. Parking for other existing uses would be relocated for other lots by Los Angeles County. All existing walking trails would remain unchanged. Although the waterfront of the storage facility where it meets the new proposed in-water boat slips would be modified, the remaining portion of the parking lot Parcel 52 would maintain its current open access. Los Angeles offices on-site would be relocated to other areas. In summary, the proposed project would result in neither adverse nor beneficial impacts to land use and therefore the changes are negligible.

#### 5.32 Historic Properties:

A study to determine the historic, prehistoric, archeological, and cultural significance of the site was conducted. The site contains no properties on the National Register of Historic Places. The report from the study was limited to surface inspection of the project site which found no resources. The study also determined that further archeological testing was not necessary due to the proposed project work which are limited to the surface and non-native substrate. The project is located adjacent to the Ballona Wetlands and within an area that historically contained historic/cultural/Native-American resources. However, when the harbor was constructed it was cut and filled resulting in its current configuration. Therefore the impacts to native material took place during the original construction of the harbor. The proposed project would not disturb subsurface native sediment material. Nevertheless, general permit conditions require that if any cultural resources are unearthed during the project duration, construction work would stop and the Corps would be contacted. If needed, investigation and review of resources would occur to determine their importance and eligibility and need for Section 106 NHPA consultation. The project would result in no impacts to historic properties.

5.33 Parks, National and Historical Monuments, National Seashores, Wilderness Areas, Research Sites, and Similar Areas:

No parks, national and historical monuments, national seashores, wilderness areas, research sites, or similar areas exist within the proposed project site, nor in the immediate vicinity of the project site. Therefore, the project would result in no impacts to these resources.

5.34 Air Quality:

The proposed permit has been analyzed for conformity applicability pursuant to the regulations implementing Section 176(c) of the Clean Air Act. Modeling of emissions for the construction of the project as proposed show that emissions would remain below levels of significance for key air quality constituents. In addition, the applicant has committed to mitigation measures to limit the air quality impacts of construction work. Long-term use of the structure would result in minor increases in traffic to and from the area and contribute to unavoidable fossil fuel emissions. Therefore the project is expected to result in minor adverse impacts to air quality during construction and post-construction.

5.35 Other anticipated changes to non-jurisdictional areas that have been determined to be within the Corps' NEPA scope of analysis:

The proposed project which includes the upland portion of the project site, Parking Lot #52 would change the number of parking spaces available on-site, however, the number and location is dictated by Los Angeles County and determined by traffic studies (see 'Land Use' section above). The parking lot is currently the only lot in Marina del Rey which does not charge a parking fee and is used by many people to access the harbor. Uses include parking for walkers, joggers, bicyclists, sportfishers venturing on Charter vessels, and undoubtedly others. Currently the lot is designated by Los Angeles County as a temporary parking lot but has been approved to support the proposed dry-stack facility. In addition the fees required in parking lots throughout MDR vary and are strictly dictated by Los Angeles County and can change at any time as determined by Los Angeles County. As specified by Los Angeles County, and as terms in the project proponent's lease agreement, the project proponent is required to submit a pre-construction plan to accommodate traffic and public uses. In addition, Los Angeles County intends to relocate some of their offices, and provide additional alternative parking options for cars who can no longer utilize Lot 52. Because the project proponent and Los Angeles County have agreed to the proposed changes and will mitigate for impacts to parking, the impacts to parking access are minor. Furthermore the number of parking spaces and amounts for parking fees is outside the Corps' purview. While the concerns from the public were considered as a public interest factor for the proposed project, the proposed mitigation to reduce impacts and provide alternative means for parking is sufficient to offset impacts. Furthermore, impacts to parking access during construction would be temporary and offset by additional parking spaces that would be provided by the County nearby, and maintenance of spaces on-site to support the expected number of visitors. Although

the proposed project would result in a total decrease in the number of spaces available at Lot 52, a traffic study conducted shows the total current number of spaces in Lot 52 are not fully utilized. The parking lot is rarely near capacity and all the spaces are not needed to support the current total number of users needing parking. Therefore the loss of parking spaces would result in a minor adverse impacts by inconveniencing those who would need to adjust their typical parking practices by utilizing other nearby parking lots. Currently Lot 52 is the only free of cost parking lot in Marina del Rey because it is an identified temporary parking lot. Los Angeles County has not installed parking meters in this lot because their Land Use Plan specifies a modified future use of the lot for dry-stack boat storage. In addition, whether or not the County decides to require a parking fee is outside the Corps' purview. Similarly, the rates charged for parking in the marina is also outside the Corps' purview. Should the County decide to start charging a fee for Lot 52 amenities, it would not be surprising since all other lots in the marina are fee-based lots. In summary, the project would result minor adverse impacts to parking availability but continue to support the number of spaces needed to support the anticipated traffic needs.

#### 5.36 Global Climate Change:

Because the project is small in size and in line with continuing development trends in Marina del Rey, the effect to global climate change is minuscule. The project would result in construction-related fossil fuels and increased energy needs, but they are minor. Therefore, the project would result in a negligible adverse impact to global climate change.

- 6.0 Cumulative Impacts. This section presents the requirements for cumulative impact analysis, and analyzes the potential for impacts for the action alternative, including the proposed project, to combine with impacts of other past, present, and reasonably foreseeable future projects in each resource area's cumulative geographic scope, to result in significant cumulative effects. CEQ regulations implementing NEPA define a "cumulative impact" as follows:

Cumulative effects: The impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person, undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7) This can include identifiable present effects of past actions to the extent that they are relevant and useful in analyzing whether the reasonably foreseeable effects of the agency proposal for action and its alternatives that may have a continuing, additive and significant relationship to those effects (Guidance on the Consideration of Past Actions in Cumulative Effects Analysis, Council on Environmental Quality, June 2005).

For purposes of this analysis, significant cumulative impacts would occur if impacts related to implementation of an alternative, including the proposed project, added to the

environmental impacts of other past, present, and reasonably foreseeable actions, result in a significant effect. For an impact to be considered cumulative, these incremental impacts and potential incremental impacts must be related to the types of impacts caused by the action alternatives. Therefore, the cumulative impacts discussion focuses on whether the impacts of an alternative are cumulative considerable within the context of impacts caused by past, present, or reasonably foreseeable future actions.

When determining the level of effort spent for cumulative effect, RGL 93-2 specifically describes the flexibility afforded by the 404 (b)(1) Guidelines to make regulatory decisions based on the relative severity of the environmental impact of the proposed discharges of dredged or fill material into water of the United States.

The proposed action, in combination with similar improvements projects around Marina del Rey, results in increases in facilities that support navigation, enhance recreation, and provide upgraded and sufficient infrastructure ideal for boating. Cumulatively, the uses in the Marina del Rey area would remain similar to current conditions because the marina is almost fully built-out in the water, and the scope of this project is in line with other projects being developed throughout the marina. The proposed project is primarily outside WOUS and results in minor and temporary impacts to Section 10 WOUS, therefore contributing minimally to the overall development of wet slips affecting WOUS in the marina.

The marina is subject to Total Maximum Daily Load restrictions by the Regional Water Quality Control Board and Environmental Protection Agency which are specified under the Marina del Rey Coordinated Integrated Monitoring Program (CIMP), dated June 28, 2014 prepared for County of Los Angeles, Los Angeles County Flood Control District, City of Los Angeles, and City of Culver City, for the Marina del Rey Enhanced Watershed Monitoring Plan. The CIMP was provided for their Municipal Separate Storm Sewer System (MS4) Permit to meet requirements of Order No. R4-2012-0175 (effective December 28, 2012). The purpose of the permit is to ensure the municipal separate storm sewer systems (MS4s) in Los Angeles County are not causing or contributing to exceedances of water quality objectives set to protect the beneficial uses in the receiving waters in the Los Angeles region. The marina watershed has the one of most aggressive Total Maximum Daily Load (TMDL) schedules for both Toxics and Bacteria. The water quality priorities are based on existing TMDLs, Clean Water Act Section (§) 303(d) lists, and exceedance of water quality objectives for other non-TMDL constituents equivalent to the (§) 303(d) listing policy. Basin H, which is the area of the proposed project, requires a TMDL for Toxic loads (Copper, PCBs, DDTs, Chlordane) but is not in part of the marina with concerns for Bacteria loads. Basin H received waters from outside the marina via a corrugated metal pipe. Basin H has a below-mean average of Copper compared to all other stations in the marina. Under the plan they intend to implement the following policy: "The storm drain emptying into Basin H shall be capped and diverted into Ballona Creek while correcting the existing drainage deficiency in this line." Under this policy all current Basin H received waters would remain in Ballona wetlands and not connect to the Basin. The plan shows the proposed development that would occur throughout the marina. Under the plan Basin H would remain a facility to support boat storage. It would also remain adjacent

to the following areas: visitor-serving park, Chace Park open space, marine commercial, parking and water. Compared to the rest of the marina, Basin H is surrounded primarily by open lots with little structural development and is planned to remain in the same setting. The proposed changes to Marina del Rey are overall dictated by the plans set forth by Los Angeles County. Other plans include water quality restrictions and standards. While general development areas and plans are described on a large scale, all individual projects requiring a Corps Regulatory permit are evaluated on a case-by-case basis with the purpose of avoiding and minimizing impacts to Section 10 waters and Section 404 (when fill applies). The majority of projects Corps Regulatory reviews in the marina are for Letters of Permission (LOP) where there is no discharge of fill material. Projects include upgrading docks in-kind, upgrading docks to meet ADA standards by the addition of ramps and area, upgrading docks out-of-kind into a modified configuration, installing new docks along waterfront seawalls to accommodate additional vessel slips. An LOP includes an abbreviated permitting process because the impacts from the above-described projects are commonly minor with the majority of impacts that are temporary. In summary, the greatest changes permitted by the Corps Regulatory are increases in overwater coverage. Overwater coverage and installation of piles is not considered fill material, and, as long as it does not adversely impact eelgrass or kelp, it does not require compensatory mitigation because there are negligible aquatic resource impacts to offset. A Corps Regulatory LOP almost never requires a Section 401 water quality certification, however, whether or not a 401 or other water quality consistency determination or MS4 permit is needed is determined by the Regional Water Quality Control Board ('Board'). If one of these certifications is required, it must be approved prior to a Permittee conducting work in Section 10 or 404 waters of the United States under a Corps Regulatory permit. In summary, water quality concerns for the project are regulated by the Board. Because an MS4 permit order and TMDL requirements are in place already for Marina del Rey, the proposed project in Basin H is required to follow those specifications for the Corps Regulatory permit. Any non-compliance or violations that occur regarding water quality would be investigated and determined by the Board and any actions would be handled by the Board, and in some cases, the Environmental Protection Agency. In such a case, where the Board determines a non-compliance or violation, the Corps Regulatory would consider need to suspend or revoke the Corps permit, or until the issues are resolved. Based on the above information the Corps does not believe the proposed project would result in an increase in cumulative impacts to water quality in Marina del Rey.

There are a number of projects currently being formulated throughout Marina del Rey, most they are almost primarily on dry land (uplands) many Corps jurisdiction. Some projects are listed below under Section 6.1.2 as either past or current projects which may or may not include additional components as follows. Such foreseeable projects apparently (as known or provided by public comment) include: Fisherman Village (hotel, restaurant/retail, slips), Parcel 10, Parcel 44, Parcel 15-U, Parcel 9 (Hotel), Neptune Marina (apartments and slips), Holiday Harbor Courts (mixed use building, new slips), MDR Hotel Anchorage (demolish slips and construct slips), Pier 44-5 (new commercial, storage buildings, and slips), Parcel 53 (Boatyard, restroom, carport), Mariner's Village (retail, slips, apartments, promenade), Oceana Retirement facility (living, retail, Villa Del Mar (apartments, slips),

AMLI Residential (apartments, commercial, slips, parking), and Mariners Bay (apartments, docks). These developments include in-water dock replacements or new docks. Such development is expected as facilities deteriorate and require replacement or upgrade for the purpose of safety and property value. The proposed developments are in line with past and current trends and are not anticipated to result in significant cumulative impacts to waters of the United States or wetlands, or other environmental factors. Proposed projects permitted by the Corps typically result in temporary and minor impacts to waters of the United States with no permanent impacts and no need for any compensatory mitigation.

Therefore cumulative impacts on the environment as a result of this project in combination with other current and reasonably foreseeable projects is not anticipated. Because the project would not result in the discharge of fill material or unacceptable impacts to navigation or the federal channel, the level of analysis to consider cumulative impacts is abbreviated. Other cumulative impacts within Marina del Rey regarding concerns beyond the Corps' purview were not reviewed. Lastly, because cumulative impacts would be minor, with minor and negligible impacts to aquatic resources, no compensatory mitigation is needed nor required.

6.1. The geographic area for this assessment is the project area comprising the intertidal and nearshore habitat of Marina del Rey.

6.1.1 Baseline.

The project area is located within the marine watershed of Marina del Rey. The projection is that authorizations will continue at the current rate/increase/, because other marinas would undergo renovation and improvements such as increased boat storage in Marina del Rey as approved by the California Coastal Commission. Natural resource issues of particular concern from Corps and non-Corps activities are ongoing impacts to eelgrass, wetlands, intertidal and subtidal habitat, and water quality from boat usage and pollution runoff.

6.1.2 Past Projects.

The Marina del Rey Harbor was constructed in the 1960s from part of the Ballona Wetlands. The harbor area encompasses approximately 354 acres and has a capacity to accommodate more than 6,000 private watercrafts. The existing Marina del Rey Marina has been in use for over 50 years.

The Corps has approved the following projects in the last 5 years.

ID	DA No.	Project Name	Permitted	Issued
1	SPL-2011-00704	MDR Boathouse Refurbishment Project	Temporarily impact 0.21 acre for temporarily scaffolding	Issued 5-Mar-12

## SUBJECT: Environmental Assessment, Public Interest Review, and Statement of Findings for MDR Basin H Boat Central-Dry Boat Storage Project

2	SPL-2011-00358	Bay Club Marina Project	Increase of 1,322 sf of overwater structures	Issued 26-Jun-12
3	SPL-2012-00047	Marina City Club (Parcel 125) Dock Rehabilitation Project	Reduction of 4,947 sf of overwater structures	Issued 21-Sep-12
4	SPL-2011-01173	Chace Park Boat Dock Replacement	Increase of 12,812 sf of overwater structures	Issued 5-Oct-12
5	SPL-2013-00427	The Boatyard Marina and Travel Lift Piers Replacement	Reduction of 2,383 sf of overwater structures	Issued 13-Mar-14
7	SPL-2013-00715	Marina del Rey Replacement	Increase of 20,654 sf of overwater structures	Issued 2-Oct-14
8	SPL-2001-00848	Marina del Ret Small Craft Harbor replacement (Parcel 15)	Increase of 19,700 sf of overwater structures	Issued 21-Nov-14
9	SPL-2014-00781	Venice Dual Force Main	Temporarily impact 1,179 linear feet for a 4.5-foot diameter sewer line	Issued 1-Apr-15
10	SPL-2015-00321	Parcel 44 Marina Dock Replacement	Reduction of 2,147 square-feet of overwater structures	Issued 1-Apr-15
11	SPL-2015-00639	Mariner's Bay Dock Replacement Project	Reduction of 4,568 square-feet of overwater structures	Issued 1-Apr-15
12	SPL-2015-00503	Parcel 9U Wetland Park Project, Marina del Rey	Increase of 2 square-feet in-water of structures	Issued 28-Aug-15

In summary, the above permitted projects included both increases and decreases in total overwater coverage by structures. This has resulted in a total net increase in overwater coverage by 0.9 acres, and thus also shading impacts, but increases are minor compared to the total overall coverage of structures in Marina del Rey. Impacts to WOUS are minor because they occur to low-functioning soft-bottom harbor seafloor lacking complex habitat. Of the approximate 1,600,000 square feet of existing total coverage of waters, the project would add approximately 10,939 square feet (0.25 acre) coverage of navigable

waters, which is an increase of 0.6%. Therefore, the proposed project would not result in a significant cumulative impact.

### 6.1.3 Current and Reasonably Foreseeable Future Projects.

See Paragraph 6.1.2.

Cumulative effects of most concern associated with the above listed reasonably foreseeable projects and proposed project (or any of the practicable/reasonable alternatives) may include an increase in the loss of waters of the United States and/or marine habitats, detrimental impacts to fish and wildlife resources, loss of substrate, changes in water circulation and water quality, discharge of pollutants.

Future developments and uses in Marina del Rey are anticipated to be similar to existing conditions with the same projected rate of increase, and each project would occur following its respective processes to address and minimize project impacts. Proposed projects types are described in the 2012 amended Specific Plan for the Marina del Rey Land Use Plan revised by the Los Angeles County. Potential key issues of concern in this watershed include loss of Essential Fish Habitat and water quality.

In summary, the Corps has determined that the proposed project's contribution to potential cumulative impacts at the watershed level, in combination with past, present, and reasonably foreseeable projects, would not be cumulatively significant.

## 7.0 Evaluation of Compliance with 404(b)(1) Guidelines: Not applicable.

### 7.1 Evaluation of the 404(b)(1) Guidelines:

#### 7.1.1 Factual Determinations:

Physical Substrate: <input type="checkbox"/> See Paragraph 5.1. <input type="checkbox"/> Describe in more detail if needed.
Water circulation, fluctuation, and salinity: <input type="checkbox"/> See Paragraph 5.2. <input type="checkbox"/> Describe in more detail if needed.
Suspended particulate/turbidity: <input type="checkbox"/> See Paragraph 5.3. <input type="checkbox"/> Describe in more detail if needed.
Contaminant availability: <input type="checkbox"/> See Paragraph 5.16. <input type="checkbox"/> Describe in more detail if needed.
Aquatic ecosystem and organism: <input type="checkbox"/> See Paragraphs 5.13 and 5.15.

<input type="checkbox"/> <i>Describe in more detail if needed.</i>
Proposed disposal site: <input type="checkbox"/> Not applicable. The proposed project does not include dredging or disposal of fill material.
Cumulative effects on the aquatic ecosystem: <input type="checkbox"/> See Paragraph 6.0. <input type="checkbox"/> <i>Describe in more detail if needed.</i>
Secondary effects on the aquatic ecosystem: <input type="checkbox"/> See Paragraph 5.0. <input type="checkbox"/> <i>Describe in more detail if needed.</i>

~~7.2 Restrictions on Discharges (230.10).~~

~~7.2.1 Regulations state that “applications to erect protection structures will usually receive favorable consideration; this paragraph also states that “if the protective structure may...adversely impact floodplain or wetland values...the district engineer will so advise the applicant and inform him of possible alternatives methods of protection his property.” (33 CFR 320.4(g)(2). The Corps conducted its 404(b)(1) alternatives analysis to determine whether or not other practicable alternatives exist that would meet the project purpose and result in the same or fewer impacts to waters of the U.S. Through the 404(b)(1) alternatives analysis, the Corps has determined that the [Alternative xx] may adversely impact floodplain or wetland values (as discussed in Paragraph 5) and that other alternatives may exist that would decrease such adverse impacts, summarized as follows:~~

~~7.2.2 Therefore, based on the above paragraph and the discussion in Paragraphs 4, 5, 6, and 7.1, the Corps has/has not determined that the Proposed Project is the Least Environmentally Damaging Practicable Alternative (LEDPA). The activity is/is not located in a special aquatic site (wetlands, sanctuaries, and refuges, mudflats, vegetated shallows, coral reefs, riffle & pool complexes). The activity does/does not need to be located in a special aquatic site to fulfill its basic purpose.~~

~~7.2.3 The proposed activity does/does not violate applicable State water quality standards or Section 307 prohibitions or effluent standards (based on information from the certifying agency that the Corps could proceed with a provisional determination). The proposed activity does/does not jeopardize the continued existence of federally listed threatened or endangered species or affects their critical habitat. The proposed activity does/does not violate the requirements of a federally designate marine sanctuary.~~

~~7.2.4 The activity will/will not cause or contribute to significant degradation of waters of the United States, including adverse effects on human health; life stages of aquatic organisms' ecosystem diversity, productivity and stability; and recreation, esthetic, and~~

economic values.

7.2.5 ~~Appropriate and practicable steps  have/ have not been taken to minimize potential adverse impacts of the discharge on the aquatic ecosystem (see Paragraph 9 for description of mitigation actions).~~

8.0 Effects, Policies and Other Laws:

8.1 Effects, Policies and Other Laws.

**Summary of All Public Interest Factors Considered for Alternatives:**

				+ Beneficial effect
				0 Negligible effect
				- Adverse effect
				M Neutral as result of mitigation actions
+	0	-	M	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Conservation.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Economics.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aesthetics.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General environmental concerns.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wetlands.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Historic properties.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fish and wildlife values
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Flood hazards.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Floodplain values.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Land use.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Navigation.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Shore erosion and accretion.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreation.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water supply and conservation.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water quality.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Energy needs.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food and fiber production.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mineral needs.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Considerations of property ownership.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Needs and welfare of the people.

Public Interest Factors. (add factors that are relevant to specific project that you checked in number 6 above and add a discussion of that factor)

8.1.1 Public Interest Factors.

Factor	Discussion
Aesthetics	The proposed project would utilize a paved parking lot, County facilities, and deteriorating marine structure with

Factor	Discussion
	<p>a new dry stack boat storage, over-water crane, and in-water queuing docks. The project would result in construction of a new approximately 75-foot tall building and 70-81.5 foot tall gantry crane, resulting in new obstruction of currently open views. However, to mitigate, materials that blend in with surrounding infrastructure would be used and the gantry crane would be enclosed on top by a cover within the building. In addition the building would only block 50% view scape to the water from the main thoroughfare near the project site which is consistent with local approvals.</p>
<p>General Environmental Concerns</p>	<p>With adherence to avoidance and minimization measures designed to address potential project impacts, the proposed project would not result in adverse impacts to general environmental interests in the project area. Construction impacts would be temporary. While the project would result in additional over-water coverage in the marina, operations would be consistent with existing uses at the project site and marina with zero to minor environmental concerns.</p>
<p>Fish and Wildlife Values</p>	<p>The proposed project includes work in the water and new structures which can affect fish and wildlife. Future operations at the project site would be similar to current operations, and the majority of potential impacts to biological resources would be temporary and limited to the construction phase of the project. Construction work (i.e., pile driving) may cause temporary turbidity in the water, which could affect foraging species' ability to see food normally visible in the water. In addition, pile driving would generate temporary noise in the water column that could disturb fish and other species that may be present. Long-term impacts would be limited to increased boat traffic at the project site due to the dry stack storage facility. Potential water quality impacts (both during construction and operation) would be addressed by implementing BMPs described in Section 1, such as using silt curtains during construction. In addition, while the California least tern is not expected to be present on-site. Overall effects to fish and wildlife would be temporary or minor at the most.</p>
<p>Water Quality</p>	<p>Due to the proposed project's location in the water, work may have temporary and minor construction-related adverse impacts to water quality. Vessels would be stored out of the water and temporarily stored in wet slips. To</p>

Factor	Discussion
	<p>minimize short-term impacts, the applicant would implement BMPs which include, but are not limited to, using turbidity screens/silt curtains to isolate the work area during pile removal and installation, floating booms to contain debris or spills, and recovering any non-buoyant debris by divers as soon as possible after loss. Additionally, as required by the Section 401 Water Quality Certification, a Water Quality Management Plan and active water quality monitoring during construction is required to ensure compliance with permit conditions.</p>
Safety	<p>The project would comply with all current ADA and DBW safety standards and regulations. The project considered safety and incorporated it into the design to prevent impacts.</p>
Recreation	<p>The proposed project would provide a benefit to recreation by adding additional storage space for recreational vessels in the area. In addition, the project would allow for owners to access their vessels upon request, thereby benefiting recreation.</p>
Navigation	<p>The proposed project would result in minor impacts to navigation in the Marina del Rey Harbor as discussed above (3.4.2).</p>
Economics	<p>The proposed project would benefit the local economy by providing a modern boat storage facility that would be usable by recreational boaters for many years. The proposed project would serve as an amenity for the local community that would attract boaters to the area, supporting local economy and businesses. In addition, the proposed project would provide jobs for contractors to construct the facility and jobs to operate the facility over the long term.</p>
Needs and Welfare of the People	<p>The project area is used for water-dependent recreational activities and provides access to the Pacific Ocean. The proposed project considers the needs and welfare of the people to utilize recreation in the marina. It also considers WOUS, EFH, and navigation by reducing in-water adverse impacts, thereby supporting the human and environment.</p>

8.2 Endangered Species Act.  NA

8.2.1 Will not affect these threatened or endangered species:

Any/ The project is located in a highly-developed area with a high traffic volume of cars, people, and boaters. The proposed project has been designed to avoid construction work that produces in-water noise and turbidity (i.e., pile driving) during the least tern nesting season (April 1 to September 1). Therefore, the proposed project would result in No Effect to the California least tern.

8.2.2 May affect, but is not likely to adversely affect:

8.2.3 Will/Will not adversely modify designated critical habitat. No critical habitat is present within the project area or vicinity.

8.2.4 Is/Is not likely to jeopardize the continued existence of the federally and state endangered California least tern.  
No effect.

8.2.5 The Services concurred/provided a Biological Opinion(s). N/A

The Corps determined the project would result in no effect to federally-listed threatened or endangered species and therefore did not need to conduct consultation with the USFWS or NMFS on any endangered species.

8.3 Essential Fish Habitat. Adverse impacts to Essential Fish Habitat will/will not result from the proposed project.

The Corps made a determination that the proposed project would not have an adverse effect on EFH or federally managed fisheries in California waters, and it initiated EFH consultation with the NMFS on April 2, 2015. NMFS responded on April 16, 2015, disagreeing the project would result in no adverse impacts to EFH, but provided no conservation recommendations. However, NMFS does not believe the proposed project would result in a substantial adverse effect to EFH on an individual basis. However NMFS recommended the Corps consider conservation recommendations spelled out in the South Coast EFH Programmatic Agreement, and consider cumulative impacts for the new overwater coverage. Upon receipt of NMFS' response on April 16, 2015 EFH consultation was concluded. However, to address the lack of agreement from NMFS on the consultation, on April 21, 2015 the Corps sent the EFH response to the applicant requesting they address the concerns. The applicant provided additional information on May 27, 2015 and agreed to incorporate recommendations from the Programmatic Agreement to avoid and minimize impacts as to EFH through use of floating silt curtains and booms during appropriate phases of construction, as well as through other BMPs described in Section 1. In addition, appropriate construction materials (translucent paneling) will be used to maximize light transmission through the over-water portions of the structure and minimize shading over the water area.

8.4 Historic Properties (Section 106). The proposed project will/will not have any effect on any sites listed, or eligible for listing, in the National Register of Historic

Places (NRHP), or otherwise of national, state, or local significance based on  letter from SHPO/ the following:

The proposed project is located in an area of Marina del Rey that is developed and has been for the past 50 years. The project site does not contain known archaeological resources, springs, rock outcroppings, oak trees, or other surface features that indicate potential archaeological sensitivity. The project site does not contain historic structures and is not considered a historic site according to the Office of Historic Preservation website. Furthermore, the Marina del Rey Land Use Plan does not identify any known historical structures or sites within the community of Marina del Rey. The closest area containing known archeological resources is the Ballona Creek Watershed area, where remnants of past human activity have been located. While archaeological resources were likely present within the project footprint prior to development, any resources were impacted during the original construction.

The Native American Heritage Commission (NAHC) performed a Sacred Lands File (SLF) search of the project APE and the results were no known Native American Cultural Resources identified within ½ mile of the APE.

The Corps received comments and phone calls from John Tommy Rosas, a Native American interested party identified under a non-Federally listed group, the Tongva Ancestral Territorial Tribal Nation. He indicated there were resources within the project area. He submitted information specific to Ballona Wetlands as well as the historically archaeological and tribal resources in the region. The Corps received information April 15, 2016 and responded that the information provided did not indicate any resources in or near the project area, but that if Mr. Rosas becomes aware of any other information to provide it. John Tommy also submitted information on May 11, 2016 and May 20, 2016 but none contained information regarding resources in the project site. John Tommy also contacted Meg McDonald, Archaeologist for Corps South Pacific Division. After inquiry from Meg regarding potential for sub-surface disturbance, the Corps followed up with the applicant to confirm the proposed project would not disturb native subsurface material. John Tommy was provided the notice regarding the public hearing but he did not attend. The Corps made a final determination the project would result in No Potential to Effect Historic Properties and consultation was not required.

Proposed second generation development would not impose any further impacts unless mass excavation is proposed. The proposed project does not include mass excavation and would not dig into native land material during construction. Therefore, no impacts are anticipated, no undiscovered resources would be encountered. In addition, the project is limited in scope, limited to impacts to existing infrastructure. Cultural, archaeological, and tribal resources are known to exist in the nearby Ballona Wetlands Preserve, but it is outside the scope and purview of the proposed project.

The Corps has determined the project would result in No Potential to Effect Historic Properties and therefore no consultation was needed or conducted with the State Historic Preservation Office.

8.5 Corps Wetland Policy.

Based on the public interest review herein, the beneficial effects of the project outweigh the detrimental impacts of the project. No wetlands are present within the project area, and wetlands would not be affected by the proposed project.

8.6 (NA) Water Quality Certification under Section 401 of the Clean Water Act  has/has not yet been issued by  /State/Commonwealth.

An MS4 permit (Order No. R4-2012-0175 (effective December 28, 2012) is issued to the Marina del Rey joint agencies including Los Angeles County. The County issued a lease agreement to the project applicant which includes requirements to be in compliance with the MS4 permit and Total Maximum Daily Load (TMDL) requirements.

8.7 Coastal Zone Management (CZM) consistency/permit: Issuance of a State permit certifies that the project is consistent with the CZM plan.  There is no evidence or indication that the project is inconsistent with their CZM plan.

The project is consistent with the Local Coastal Program (amended 2012) document which specifically specifies new dry-stack storage construction and allows development of a dry-stack boat storage in Parking Lot #52. A Coastal Development Permit No. 5-14-0770 Notice of Intent to Issue Permit was sent on January 12, 2015. A final approved certificate is required before work in WOUS is allowed as specified by a Special Condition in the permit.

8.8 Section 176(C) of the Clean Air Act (CAA) General Conformity Rule Review.

The proposed permit action has been analyzed for conformity applicability pursuant to regulations implementing Section 176(c) of the Clean Air Act. It has been determined that the project proposed under this permit would not exceed *de minimis* levels of direct or indirect emissions of a criteria pollutant or its precursors and are exempted by 40 CFR Part 93.153. Any later indirect emissions are generally not within the Corps' continuing program responsibility and generally cannot be practicably controlled by the Corps. For these reasons, a conformity determination is not required for this permit action.

8.9 Other Authorizations: (None)

8.10 (NA) Significant Issues of Overriding National Importance.

9.0 Compensation and other mitigation actions

9.1 Compensatory Mitigation

9.1.1 Is compensatory mitigation required?  yes  no.

The proposed project would not result in eelgrass impacts or other adverse impacts to aquatic resources that would require compensatory mitigation. The project would result in minor impacts from the installation of new piles, and temporary impacts from increase in water turbidity. No other project components would adversely affect aquatic resources. Lastly the applicant has incorporated avoidance and minimization measures to offset any minor or temporary Section 10 impacts to aquatic resources and public interest factors. In summary, the Corps has determined no compensatory mitigation is needed and is not required.

9.1.2 Is the impact in the service area of an approved mitigation bank?

yes  no  N/A

9.1.2.1 Does the mitigation bank have appropriate number and resource type of credits available?

yes  no  N/A

9.1.3 Is the impact in the service area of an approved in-lieu fee program?

yes  no  N/A

9.1.3.1 Does the in-lieu fee program have appropriate number and resource type of credits available?

yes  no  N/A

9.1.4 Check the selected compensatory mitigation option(s):

- N/A
- mitigation bank credits
- in-lieu fee program credits
- permittee-responsible mitigation under a watershed approach
- permittee-responsible mitigation, on-site and in-kind
- permittee-responsible mitigation, off-site and out-of-kind

9.1.5 If a selected compensatory mitigation option deviates from the order of the options presented in §332.3(b)(2)-(6), explain why the selected compensatory mitigation option is environmentally preferable. Address the criteria provided in §332.3(a)(1) (i.e., the likelihood for ecological success and sustainability, the location of the compensation site relative to the impact site and their significance within the watershed, and the costs of the compensatory mitigation project):

Not applicable.

9.1.6 Other Mitigative Actions.

No mitigation for impacts from this project is needed due to the localized, minor, and

temporary impact of the project.

## 10.0 General Evaluation Criteria Under the Public Interest Review

We considered the following within this document:

- 10.1 The relative extent of the public and private need for the proposed structure or work. (e.g. Public benefits include employment opportunities and a potential increase in the local tax base. Private benefits include land use and economic return on the property; for transportation projects benefits include safety, capacity and congestion issues.)

The public and private need for the work centers around Boat Central's need to provide for efficient and expanded boat storage availability to support recreational vessel use.

- 10.2  There are no unresolved conflicts as to resource use. ( ~~There are unresolved conflicts as to resource use. One or more of the alternative locations and methods described above are reasonable or practicable to accomplish the objectives of the proposed structure or work but are not being accepted by the applicant.~~) ( ~~There are unresolved conflicts as to resource use however there are no practicable reasonable alternative locations and methods to accomplish the objective of the proposed work.~~)

- 10.3 The extent and permanence of the beneficial and/or detrimental effects, which the proposed work is likely to have on the public, and private uses to which the area is suited.  Detrimental impacts are expected to be minimal although they would be permanent in the construction area. The beneficial effects associated with utilization of the property would be permanent. Operation of recreational vessels and other work associated with the Boat Central dry stack storage would not adversely impact fish and wildlife resources in Marina del Rey or the Pacific Ocean.

## 11.0 Determinations

### 11.1 Public Notice Comments:

See Paragraph 3.4.

11.1.1 Discuss the Corps response to the public notice comments and reference the changes in the analyses and special conditions that support the Corps response to the public concerns.

11.1.2 Public Hearing Request:  NA

The project started as a Letter of Permission action, but after receipt of over 205 requests to hold a public hearing, the Corps decided to elevate the project to a Standard Individual Permit (SIP) due to appreciable opposition and to hold a Public Hearing to gather additional information specifically regarding the topic of

navigation.

I have reviewed and evaluated the requests for a public hearing. There is sufficient information available to evaluate the proposed project; therefore, the requests for a public hearing are denied.

The Corps posted a public notice to hold a hearing on March 29, 2016. After receiving calls from key interested parties that they did not receive the public notice about the hearing, the hearing was postponed using another public notice (posted March 24, 2016). A third public notice was posted on April 5, 2016 to announce the rescheduled hearing date of May 10, 2016.

The Corps held a Public Hearing at Chace Park in Marina del Rey on May 10, 2016 from 6:00 PM to 8:00 PM and Deputy Commander Sugrue was the Presiding Officer. Public Affairs Office was present as well the Deputy Regulatory Division Chief and other Regulatory supervisors and staff. A stenographer was present who recording the hearing in a Transcript dated May 20, 2016. As requested by the public during the hearing, a copy of the transcripts were provided to two libraries (Los Angeles and Marina del Rey) and was also posted on our regional SPD website. The Corps sent an email out on June 9, 2016 to the email distribution list of all interested parties informing them of the transcript availability.

#### 11.2 Section 176(c) of the Clean Air Act General Conformity Rule Review:

The proposed permit action has been analyzed for conformity applicability pursuant to regulations implementing Section 176(c) of the Clean Air Act. It has been determined the project work proposed in this Environmental Assessment (including all alternatives) would not exceed *de minimis* levels of direct or indirect emissions of a criteria pollutant or its precursors and are exempted by 40 CFR Part 93.153.

#### 11.3 Relevant Presidential Executive Orders.

##### 11.3.1 EO 13175, Consultation with Indian Tribes, Alaska Natives, and Native Hawaiians.

This action has no substantial direct effect on one or more Indian tribes. No tribal cultural sites or properties are known to be within the project area.

11.3.2 EO 11988, Floodplain Management.  Not in a floodplain.  Alternatives to location within the floodplain, minimization, and compensation of the effects were considered above. Because the proposed project would not have an adverse effect to floodplain management, the project complies with EO 11988.

##### 11.3.3 EO 12898, Environmental Justice.

In accordance with Title III of the Civil Right Act of 1964 and Executive Order 12898, it has been determined that the project would not directly or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin, nor would it have a disproportionate effect on minority or low-income communities.

11.3.4 EO 13112, Invasive Species.  No Caulerpa was observed during the October 16, 2006, marine surveys. A pre-construction Caulerpa survey shall be completed in the project area up to 90 days prior but no later than 30 days following construction commencement. If observed, NMFS and the Corps would be notified and methods to remove Caulerpa would be employed.   
~~There were no invasive species issues involved.~~  
 ~~The evaluation above included invasive species concerns in the analysis of impacts at the project site and associated compensatory mitigation projects.~~  
 ~~Through special conditions, the permittee will be required to control the introduction and spread of exotic species.~~

11.3.5 EO 13212 and 13302, Energy Supply and Availability.  The project was not one that will increase the production, transmission, or conservation of energy, or strengthen pipeline safety. ( The review was expedited and/or other actions were taken to the extent permitted by law and regulation to accelerate completion of this energy-related (including pipeline safety) project while maintaining safety, public health, and environmental protections.)

11.3.6 Finding of No Significant Impact (FONSI). Having reviewed the information provided by the applicant and all interested parties and an assessment of the environmental impacts, I find that this permit action will not have a significant impact on the quality of the human environment. Therefore, an Environmental Impact Statement will not be required.

~~11.4 Least Environmental Practical Alternative (LEDPA). I find that the Proposed Project is the LEDPA. Not applicable.~~

~~Compliance with 404(b)(1) Guidelines. Having completed the evaluation in Paragraph 10, I have determined that the proposed discharge  complies/ does not comply with the 404(b)(1) guidelines.~~

11.5 Public Interest Determination: I find that issuance of a Department of the Army permit for the proposed project is not contrary to the public interest (see Paragraphs 5.21 and 8.1.1).

11.6 Special Conditions: The following special conditions will be included in the permit to ensure the project is not contrary to the public interest and complies with the 404 (b)(1) Guidelines:

1. Within 45 calendar days of completion of authorized work in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a post-project implementation memorandum including the following information:

- A) Date(s) work within waters of the U.S. was initiated and completed;
- B) Summary of compliance status with each special condition of this permit (including any noncompliance that previously occurred or is currently occurring and corrective actions taken or proposed to achieve compliance);
- C) Color photographs (including map of photopoints) taken at the project site before and after construction for those aspects directly associated with permanent impacts to waters of the U.S. such that the extent of authorized fills can be verified;
- D) One copy of "as built" drawings for the entire project. Electronic submittal (Adobe PDF format) is preferred. All sheets must be signed, dated, and to-scale. If submitting paper copies, sheets must be no larger than 11 x 17 inches; and
- E) Signed Certification of Compliance (attached as part of this permit package).

*Rationale: Required to keep track of project status and evaluate compliance with permit.*

Section 10 Conditions:

2. The permitted activity shall not interfere with the right of the public to free navigation on all navigable waters of the United States as defined by 33 C.F.R. Part 329.

3. Creosote treated pilings shall not be placed in navigable waters unless all of the following conditions are met:

- A) The project involves the repair of existing structures that were originally constructed using wood products;
- B) The creosote treated pilings are wrapped in plastic;
- C) Measures are taken to prevent damage to plastic wrapping from boat use. Such measures may include installation of rub strips or bumpers;
- D) The plastic wrapping is sealed at all joints to prevent leakage; and
- E) The plastic material is expected to maintain its integrity for at least ten years, and plastic wrappings that develop holes or leaks must be repaired or replaced in a timely manner by the Permittee.

4. A pre-construction survey of the project area for *Caulerpa taxifolia* (Caulerpa) shall be conducted in accordance with the Caulerpa Control Protocol (see <http://swr.nmfs.noaa.gov/hcd/caulerpa/ccp.pdf>) not earlier than 90 calendar days prior to planned construction and not later than 30 calendar days prior to construction. The results of that survey shall be furnished to the Corps Regulatory Division, NOAA Fisheries, and the California Department of Fish and Game (CDFG) at least 15 calendar days prior to initiation of work in navigable waters. In the event that Caulerpa is detected within the project area, the Permittee shall not commence work until such time as the infestation has been isolated, treated, and the risk of spread is eliminated as confirmed in writing by the Corps Regulatory Division, in consultation with NOAA Fisheries and CDFG.

5. The Permittee shall discharge only clean construction materials suitable for use in the oceanic environment. The Permittee shall ensure no debris, soil, silt, sand, sawdust, rubbish, cement or concrete washings thereof, oil or petroleum products, from construction shall be allowed to enter into or placed where it may be washed by rainfall or runoff into waters of the United States. Upon completion of the project authorized herein, any and all excess material or debris shall be completely removed from the work area and disposed of in an appropriate upland site.

6. The Permittee shall notify the Corps Regulatory Division of the date of commencement of operations not less than 14 calendar days prior to commencing work, and shall notify the Corps of the date of completion of operations at least five calendar days prior to such completion.

7. To ensure navigational safety, the permittee shall provide appropriate notifications to the U.S. Coast Guard as described below:

Commander, 11th Coast Guard District (dpw)

TEL: (510) 437-2980

E-mail: d11LNM@uscg.mil

Website: <http://www.uscg.mil/dp/lnmrequest.asp>

U.S. Coast Guard, Sector LA-LB (COTP)

TEL: (310) 521-3860

E-mail: john.p.hennigan@uscg.mil

A) The Permittee shall notify the U.S. Coast Guard, Commander, 11th Coast Guard District (dpw) and the U.S. Coast Guard, Sector LA-LB (COTP) (contact information shown above), not less than 14 calendar days prior to commencing work and as project information changes. The notification shall be provided by e-mail with at least the following information, transmitted as an attached Word or PDF file:

- 1) Project description including the type of operation (i.e. dredging, diving, construction, etc).
- 2) Location of operation, including Latitude / Longitude (NAD 83).
- 3) Work start and completion dates and the expected duration of operations. The Coast Guard needs to be notified if these dates change.
- 4) Vessels involved in the operation (name, size and type).
- 5) VHF-FM radio frequencies monitored by vessels on scene.
- 6) Point of contact and 24 -hour phone number.
- 7) Potential hazards to navigation.
- 8) Chart number for the area of operation.
- 9) Recommend the following language be used in the LNM: "Mariners are urged to transit at their slowest safe speed to minimize wake, and proceed with caution after passing arrangements have been made."

B) The Permittee and its contractor(s) shall not remove, relocate, obstruct, willfully damage, make fast to, or interfere with any aids to navigation defined at 33 C.F.R. chapter I, subchapter C, part 66. The Permittee shall ensure its contractor notifies the Eleventh Coast Guard District in writing, with a copy to the Corps Regulatory Division, not less than 30 calendar days in advance of operating any equipment adjacent to any aids to navigation that requires relocation or removal. Should any federal aids to navigation be affected by this project, the Permittee shall submit a request, in writing, to the Corps Regulatory Division as well as the U.S. Coast Guard, Aids to Navigation office (contact information provided above). The Permittee and its contractor are prohibited from relocating or removing any aids to navigation until authorized to do so by the Corps Regulatory Division and the U.S. Coast Guard.

C) Should the Permittee determine the work requires the temporary placement and use of private aids to navigation in navigable waters of the U.S., the Permittee shall submit a request in writing to the Corps Regulatory Division as well as the U.S. Coast Guard, Aids to Navigation office (contact information provided above). The Permittee is prohibited from establishing private aids to navigation in navigable waters of the U.S. until authorized to do so by the Corps Regulatory Division and the U.S. Coast Guard.

D) The COTP may modify the deployment of marine construction equipment or mooring systems to safeguard navigation during project construction. The Permittee shall direct questions concerning lighting, equipment placement, and mooring to the appropriate COTP.

8. Within 30 calendar days of completion of the project authorized by this permit, the Permittee shall conduct a post-project survey indicating changes to structures and other features in navigable waters. The Permittee shall forward a copy of the survey, as well as a copy of this permit, to the Corps Regulatory Division (via e-mail at: [Regulatory.SPL@usace.army.mil](mailto:Regulatory.SPL@usace.army.mil)) and to the National Oceanic and Atmospheric Administration for updating nautical charts (via e-mail at: [Chris.Libeau@noaa.gov](mailto:Chris.Libeau@noaa.gov)). Post-project surveys/as-built plans should be provided electronically in two formats: .pts (xyz) and one of, .pdf, CAD, or GIS. Include the following header metadata: project name, surveyor's name and company, area surveyed (acres), type of survey method, date of survey, geographic control points (for example: latitude/longitude, plane coordinates), geographic coordinate system (use NAD83), geographic projection, units (use US Survey Feet), and tide gage location. For all subsurface structures and dredge projects include elevation (z coordinate) datum indicated as a negative below MLLW, and also indicate the survey system and bin sizes as appropriate.

9. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers Regulatory Division, to remove, relocate, or alter the structural work or obstructions caused thereby, without

expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

*Rationale: Required to ensure avoidance and minimization of impacts to waters of the United States and navigation.*

10. Cultural: Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archeological deposits, or any other type of historic property, the Permittee shall notify the Corps' Archeology Staff within 24 hours (Danielle Storey at 213-452-3855 OR Meg McDonald at 213-452-3849). The Permittee shall immediately suspend all work in any area(s) where potential cultural resources are discovered. The Permittee shall not resume construction in the area surrounding the potential cultural resources until the Corps Regulatory Division re-authorizes project construction, per 36 C.F.R. section 800.13.

*Rationale: Required to ensure proper notification and evaluation of resources of potential historic or cultural significance and comply with the National Historic Preservation Act.*

11. Coastal consistency: This permit is contingent upon the issuance of a Coastal Zone Management Act (CZMA) consistency certification. The Permittee shall abide by the terms and conditions of the CZMA consistency certification. The Permittee shall submit the CZMA consistency certification to the Corps Regulatory Division (preferably via email) within two weeks of receipt from the issuing state agency. The Permittee shall not proceed with construction until receiving an e-mail or other written notification from Corps Regulatory Division acknowledging the CZMA consistency certification has been received, reviewed, and determined to be acceptable. If the California Coastal Commission fails to act on a valid request for concurrence with your certification within six months after receipt, please notify the Corps so we may consider whether to presume a concurrence has been obtained.

*Rationale: Required to ensure applicant receives approved Coastal development permit.*

## 12.0 References

CESPL-RG-N (SPL-2014-00307-BLR)

SUBJECT: Environmental Assessment, Public Interest Review, and Statement of Findings for  
MDR Basin H Boat Central-Dry Boat Storage Project

**PREPARED BY:**

ROGERS.BONNIE.L  
YNN.1408403177

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ROGERS.BONNIE.LYNN.1408403177  
DN: c=US, o=U.S. Government, ou=DoD,  
ou=PKI, ou=USA,  
cn=ROGERS.BONNIE.LYNN.1408403177  
Date: 2016.08.23 16:29:33 -07'00'

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Bonnie L. Rogers  
Senior Project Manager  
L.A. and San Bernardino Section  
Regulatory Division  
Los Angeles District

**REVIEWED and APPROVED BY:**

SWENSON.DANIEL.P  
ATTERSON.10813483  
63

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SWENSON.DANIEL.PATTERSON.1081348363  
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ou=USA,  
cn=SWENSON.DANIEL.PATTERSON.1081348363  
Date: 2016.08.23 16:41:46 -07'00'

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Daniel P. Swenson, D. Env.  
Chief, L.A. and San Bernardino Section  
Regulatory Division  
Los Angeles District

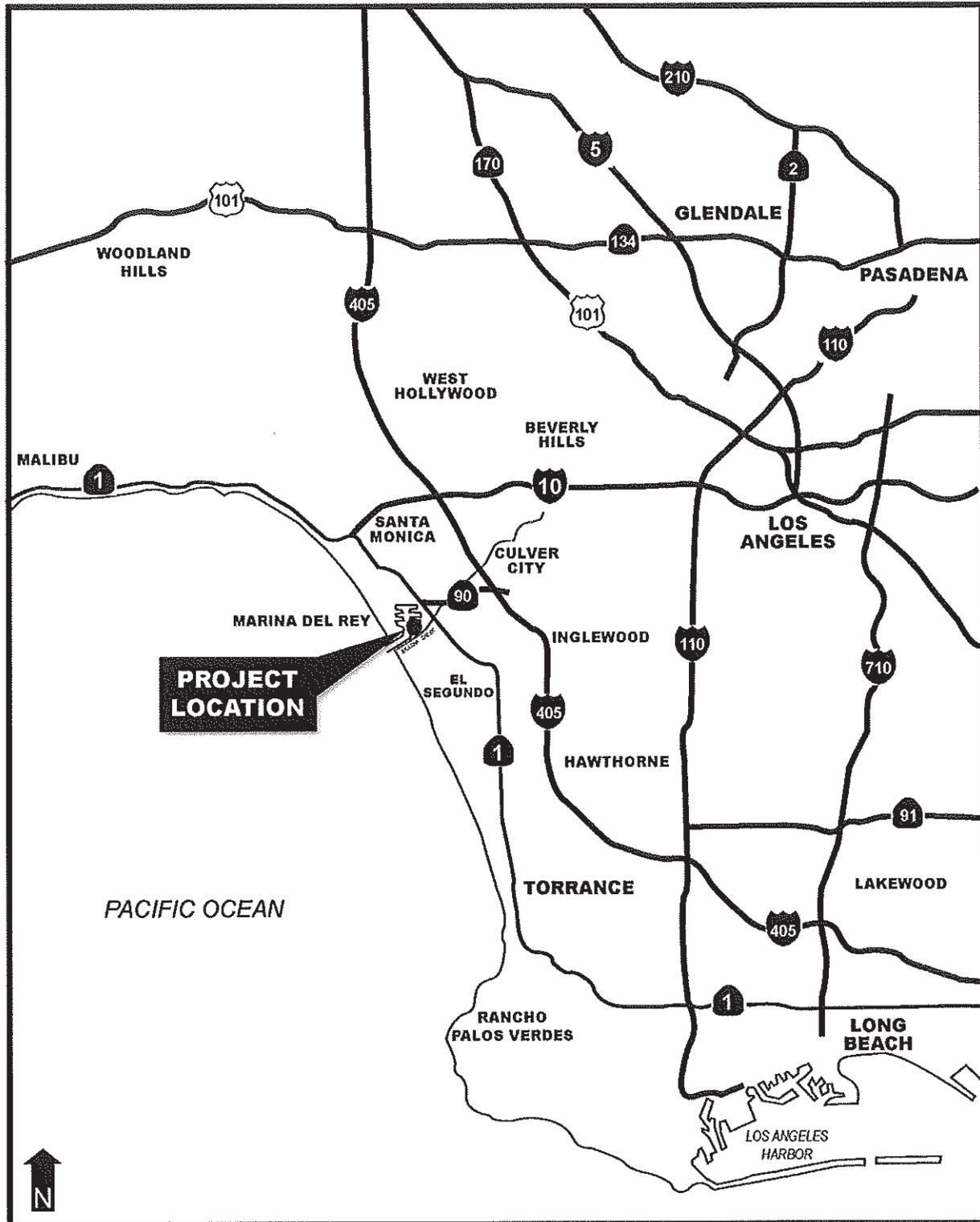


Exhibit 4.1-1 - Regional Location Map

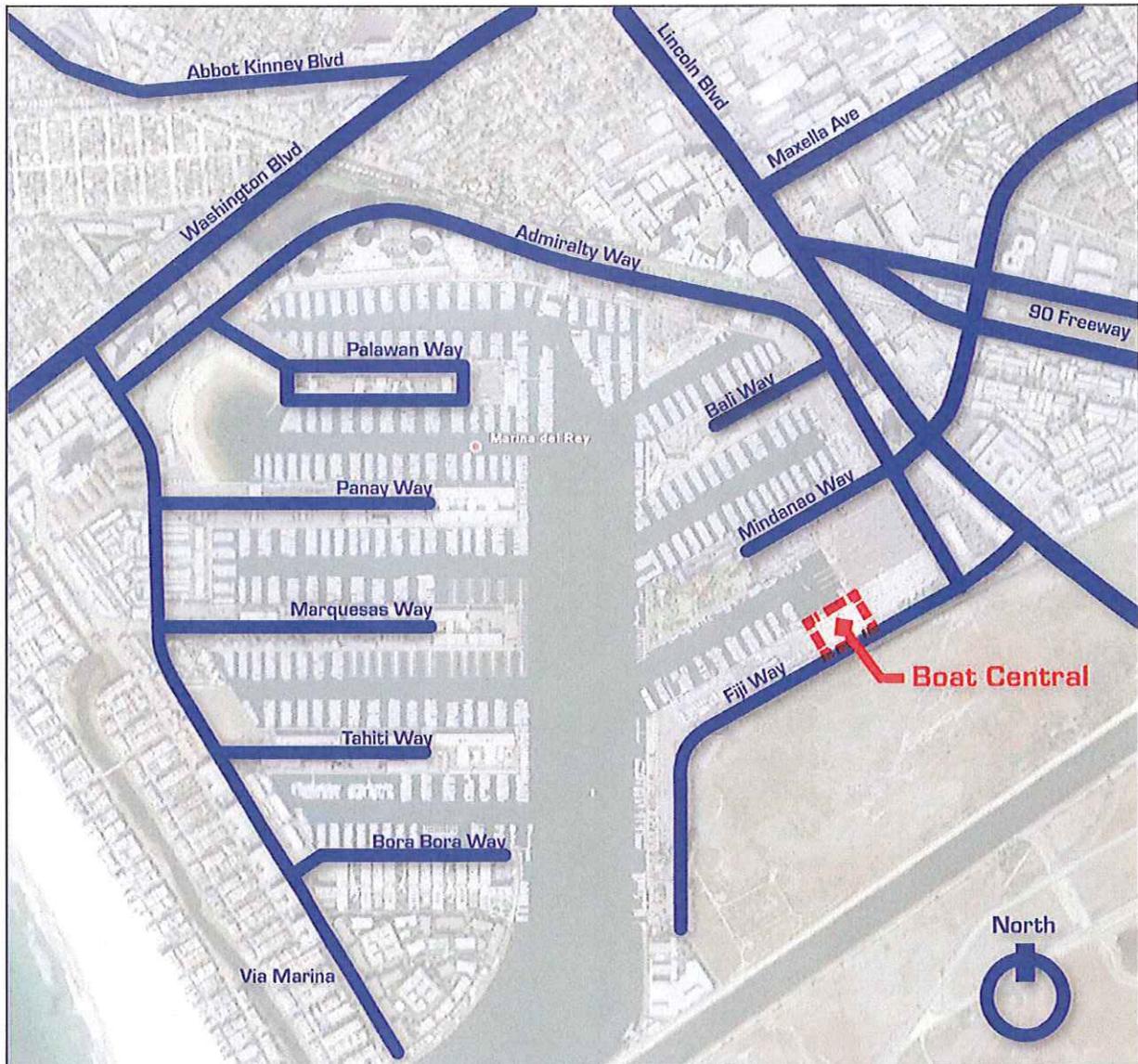
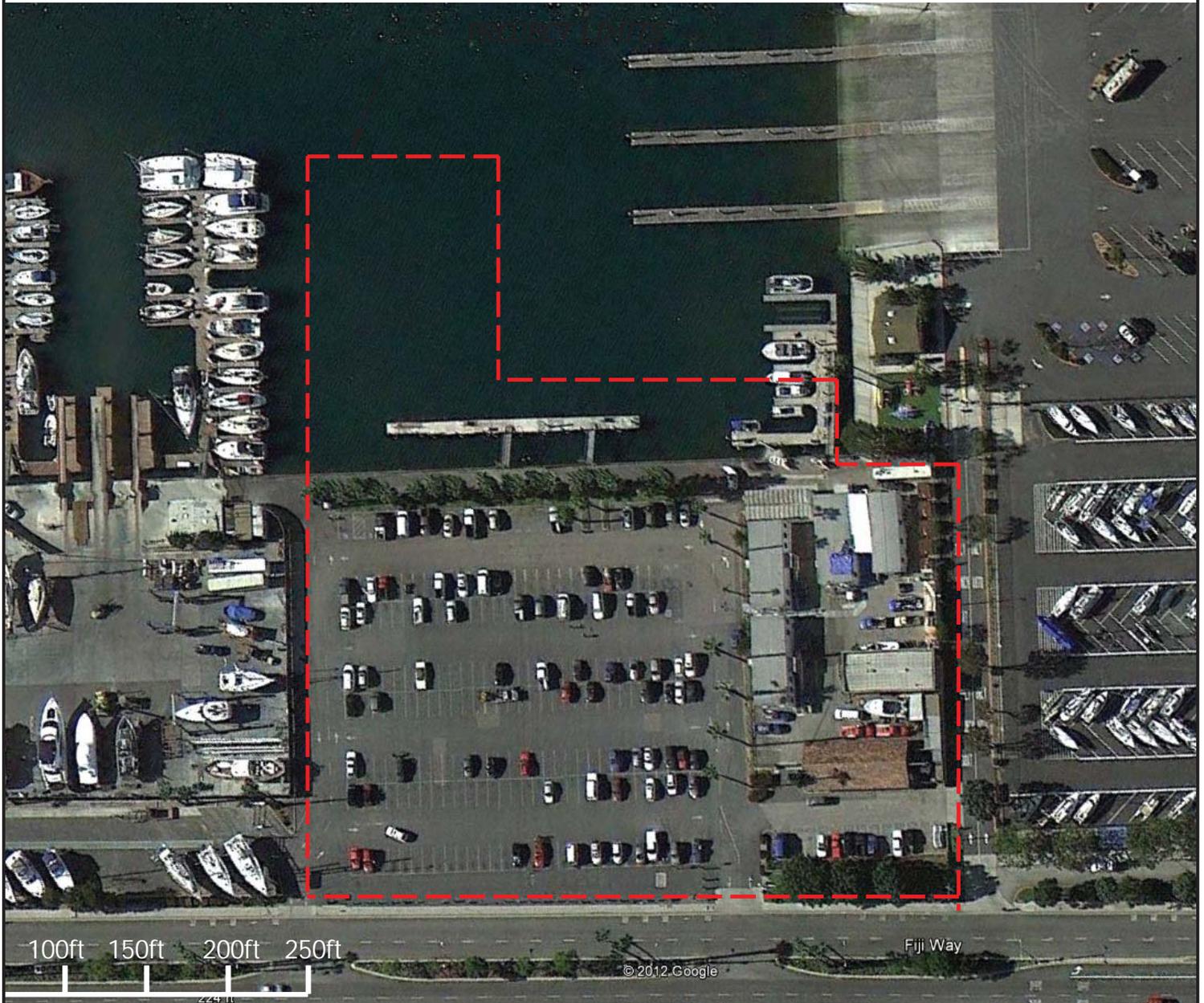


Exhibit 4.1-2 - Project Vicinity Map



# EXISTING SITE PLAN

SCALE: NTS

**BLUEWATER  
DESIGN GROUP**

*Planning and  
Engineering Services*

*For Marinas and  
Waterfront Resorts*

**PROJECT: BOAT CENTRAL - PARCELS 52R AND GG, MARINA DEL REY, CA**

**CLIENT: -**

**JOB #: 2118-B**

**SHEET NO.C-1**

**SUBJECT/COMMENTS:**

**DESIGNED BY: PT**

**PAGE 1 OF 2**

**DRY STACK STORAGE PARCEL 52R**

**CHECKED BY: TB**

**DATE: 02-18-2014**

STATUS	CONCEPT	X
	PRELIMINARY	
	FINAL	

CONTRACTOR

**PROJECT**  
**DRY STACK STORAGE**  
**PARCEL 52**  
**MARINA DEL REY, CA**

CONTRACTOR

NO.	REVISION	BY	DATE
1	ISSUE FOR PERMIT		

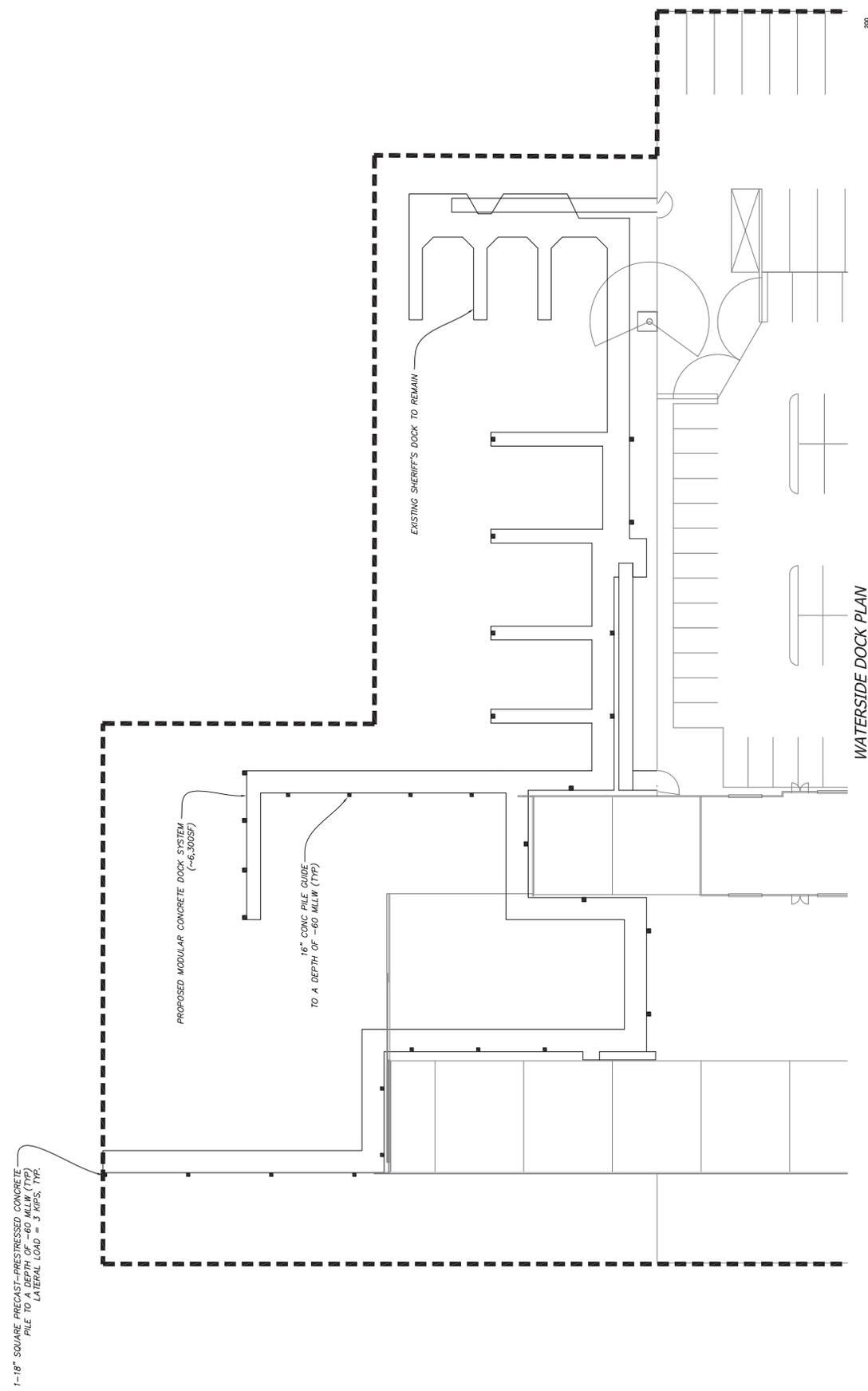


**BLUE WATER**  
**Design Group**  
 Planning and Engineering Services  
 For Marina and Waterfront Benefits

2500 Via Calipho Marina, Suite 200  
 San Pedro, CA 90731  
 Tel: 310 546 3132  
 Fax: 310 546 3224

DATE: 02-25-2014  
 PROJECT NO.: 2118-B  
 SHEET NO.: C-2  
 SHEET TOTAL: 2 OF X

**WATERSIDE DOCK PLAN**



WATERSIDE DOCK PLAN



# PUBLIC NOTICE

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

**BUILDING STRONG®**

**APPLICATION FOR PERMIT  
Basin H Boat Central and dry dock storage**

**Public Notice/Application No.:** SPL-2014-00307-BLR

**Project:** MDR Basin H Boat Central-Dry Boat Storage Project

**Comment Period:** March 2, 2016 through April 2, 2016

**Project Manager:** Bonnie Rogers; 213-452-3372; [Bonnie.L.Rogers@usace.army.mil](mailto:Bonnie.L.Rogers@usace.army.mil)

---

**Applicant**

Thomas Hogan  
MDR Boat Central LLP  
3416 Via Lido Ste G  
Newport Beach, California 92663

**Location**

Within the city of Marina del Rey, Los Angeles, California (at: 33.97633055, -118.44159).

**Activity**

To construct a new dock system and 345 slip dry dock storage facility (0.26 acre) in association with MDR Basin H Boat Central-Dry Boat Storage Project (see attached drawings). For more information see page 3 of this notice.

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Interested parties are hereby notified an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). We invite you to review today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that supports the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision. This permit will be issued, issued with special conditions, or denied under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. Comments should be mailed to:

LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
REGULATORY DIVISION  
ATTN: Bonnie Rogers, SPL-2014-00307  
915 Wilshire Blvd. Ste 930  
LOS ANGELES, CALIFORNIA 90017

Alternatively, comments can be sent electronically to: [Bonnie.L.Rogers@usace.army.mil](mailto:Bonnie.L.Rogers@usace.army.mil)

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

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

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

### **Evaluation Factors**

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

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

## **Preliminary Review of Selected Factors**

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

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

**Coastal Zone Management**- The applicant has certified the proposed activity would comply with and would be conducted in a manner consistent with the approved State Coastal Zone Management Program. For those projects in or affecting the coastal zone, the Federal Coastal Zone Management Act requires that prior to issuing the Corps authorization for the project, the applicant must obtain concurrence from the California Coastal Commission the project is consistent with the State's Coastal Zone Management Plan. The District Engineer hereby requests the California Coastal Commission's concurrence or non-concurrence.

**Essential Fish Habitat**- The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires Federal agencies to consult with NMFS on activities that may adversely affect Essential Fish Habitat (EFH). The objective of the EFH assessment is to describe potential adverse effects to designated EFH for federally managed fisheries species within the proposed action area and to describe conservation measures proposed to avoid, minimize, or otherwise offset potential adverse effects to designated EFH resulting from the proposed action.

A biological survey was conducted as described in "Eelgrass and Invasive Algae Survey and Impact Assessment For the Proposed Boat Central Water-side Facilities Marine del Rey, Los Angeles, California", by Coastal Resources Management, Inc., dated October 17, 2006 and in "Assessment of Marine Biological Resources Associated with Parcel 52R and GG", by Coastal Resources Management, Inc. dated September 13, 2008. No eelgrass (*Zostera marina*) or *Caulerpa taxifolia* was found. In the past ditchgrass (*Ruppia maritime*), was reported to occur but the applicant provided information in a followup email that the consultant does not expect it to occur on-site currently. In addition there are no sensitive habitats within 25-feet of the proposed footprint.

The Corps made a determination the proposed project would not have an adverse effect on EFH or federally managed fisheries in California waters, and initiated EFH consultation with the National Marine Fisheries Service on April 2, 2015. They responded on April 16, 2015 with no additional recommendations.

**Cultural Resources**- The latest version of the National Register of Historic Places has been consulted and this site is not listed. This review constitutes the extent of cultural resources investigations by the District Engineer, and the DE is otherwise unaware of the presence of such resources.

**Endangered Species**- Preliminary determinations indicate the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

**Public Hearing-** A public hearing will be held at the Burton W. Chace Park Meeting Room in Marina del Rey from 6:00 PM to 8:00 PM on March 29, 2016 (see attached Exhibit B). The address is 13650 Mindanao Way, Marina del Rey, California 90292 (at approximately 33.977316, -118.444997). Public parking is available as shown on Exhibit B.

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

**Basic Project Purpose-** The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent (i.e., requires access or proximity to or siting within the special aquatic site to fulfill its basic purpose). Because no fills are proposed within special aquatic sites, identification of the basic project purpose is not necessary.

**Overall Project Purpose-** The overall project purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose is to construct a new dock storage system for approximately 345 vessels in Marina del Rey.

### **Additional Project Information**

#### **Project description-**

The proposed project would install a new dock system supported by 22 concrete 48" diameter support piles impacting approximately 139 square feet of soft-bottom from the piles only. In addition a new overwater dry-stack structure boat cueing system would be installed. The structures extend 97 feet seaward on the westerly side and 45 feet seaward on the easterly side. Construction would include 755 linear feet of queuing docks with 32 guide piles (16 inch in diameter) for a total footprint of 76 square feet. Pile installation would not result in a discharge of fill material (as defined by Section 10 regulations). Total new overwater coverage would be approximately 11,600 square feet (0.26 acre) waters of the United States (see attached figures) and would not impact any eelgrass because none was found nor is expected on-site.

The project would result in new direct overwater coverage of waters of the U.S. (intertidal and subtidal habitats) as a result of the proposed project; however no discharge of dredged or fill material in waters of the U.S. is proposed.

#### **Proposed Mitigation-**

The proposed mitigation may change as a result of comments received in response to this public notice, the applicant's response to those comments, and/or the need for the project to comply with the 404(b)(1) Guidelines. The applicant does not propose any compensatory mitigation. In consideration of the above, the proposed mitigation sequence (avoidance/minimization/compensation), as applied to the proposed project is provided above under the 'Essential Fish Habitat' section and as follows:

Avoidance measures:

- The project was sited in areas not occupied by or determined to be suitable for sensitive habitat (e.g., submerged aquatic vegetation, salt marsh, and intertidal flats).

- Any cross or transverse bracing would be placed above the mean higher high water (MHHW) to avoid any impacts to water flow and circulation.
- The overwater structure has been designed as the minimum necessary to address project objectives.
- Structures are designed to orient in a north-south orientation, to the maximum extent practicable, to minimize persistent shading over the course of a diurnal cycle.
- Structure was designed to use the fewest number of piles as possible for necessary support of the structure to minimize pile shading, substrate impacts, and impacts to water circulation. Piles would be spaced a minimum of 10 feet apart on center.
- Floating dock structures are restricted to terminal platforms placed in the deepest water available at the project site.
- The new dock structure would extend up to 200 feet into Basin H on the western side of the project site, which is similar to the adjacent docks in front of the boatyard facility.
- The additional shading from new dock placement is not anticipated to substantially change the amount of shading from what currently exists. The dry stack ranges between 7 to 10 feet above the water; therefore, the shadow effect is greatly reduced compared to in-water wet slips shading, and therefore there is no permanent water area within the shadow for the dry dock as there is with wet-slip marinas.
- Incorporate materials, such as translucent white polycarbonate, stainless steel mesh, or other similar materials, into the overwater structure design to maximize light transmittance through the material.

#### Minimization:

Pile driving operations would be monitored for compliance with water quality and noise generation restrictions under CEQA. Sound curtains can be deployed to control noise impacts. Silt curtains and booms would be installed around the work barge and pile removal and emplacement operations to minimize turbidity. No pile-driving activity that may generate more than minimal noise or turbidity would occur during the period commencing April 1 and ending September 1 of any year.

The structure would include an architectural cladding of translucent white polycarbonate cement board and stainless-steel mesh or a similar material. The polycarbonate material also filters UV rays and resists salt corrosion, which increases the longevity of the structure. The material is non-reflective and consistent with the bird-safe policies of the California Coastal Commission.

Following review of the Programmatic Agreement between the National Marine Fisheries Service (NMFS) and the USACE Los Angeles District, the applicant proposes to incorporate the following conservation recommendations for pile removal and installation into the proposed project to avoid and minimize adverse impacts to aquatic resources:

- Slowly remove piles to allow sediment to slough off at or near the mud line.
- Hit or vibrate the pile first to break the bond between the sediment and the pile to minimize the likelihood of the pile breaking and to reduce the amount of sediment sloughed.
- Encircle the pile with a silt curtain that extends from the surface of the water to the substrate, where appropriate and feasible.

**Proposed Special Conditions** No conditions proposed at this time.

For additional information please call Bonnie Rogers at 213-452-3372 or e-mail Bonnie.L.Rogers@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.

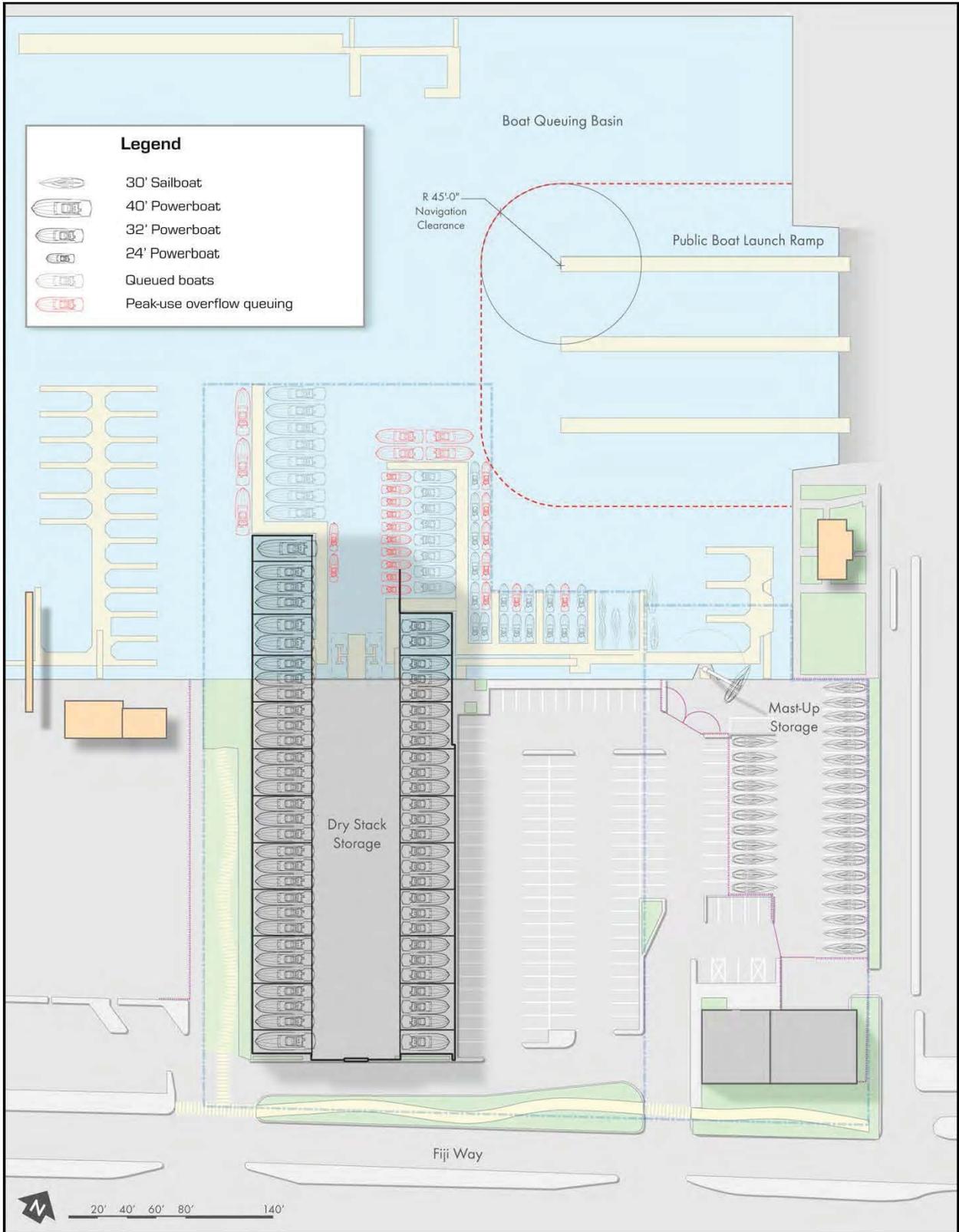


*Regulatory Program Goals:*

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

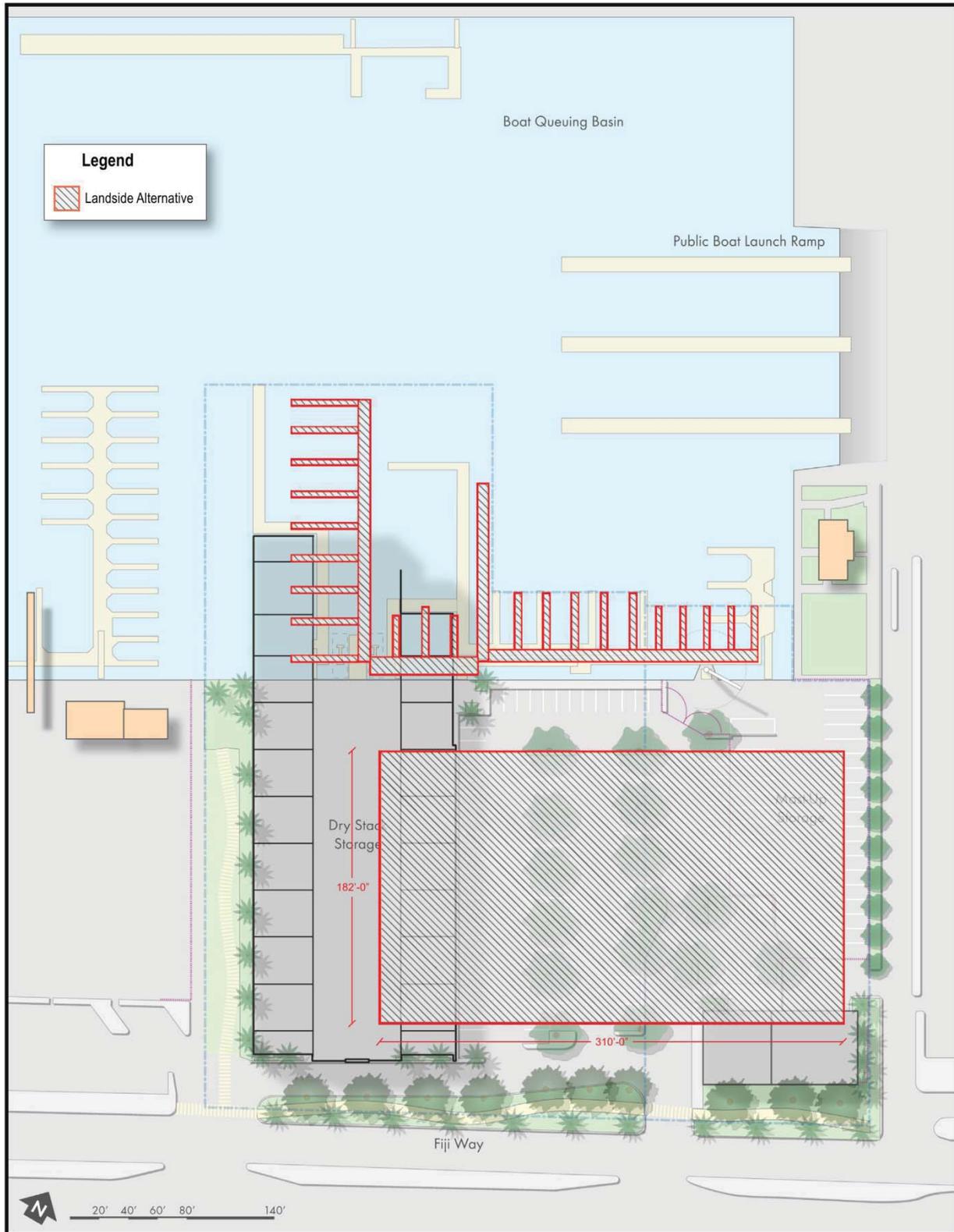
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**DEPARTMENT OF THE ARMY**  
**LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS**  
915 Wilshire Blvd. Ste. 930  
LOS ANGELES, CALIFORNIA 90017  
**WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY**



Source: AC Martin Partners

**Exhibit 4.3-4 – Boat Queuing**



Source: AC Martin Partners

**Exhibit 6.6-1 – Landside Only Alternative**

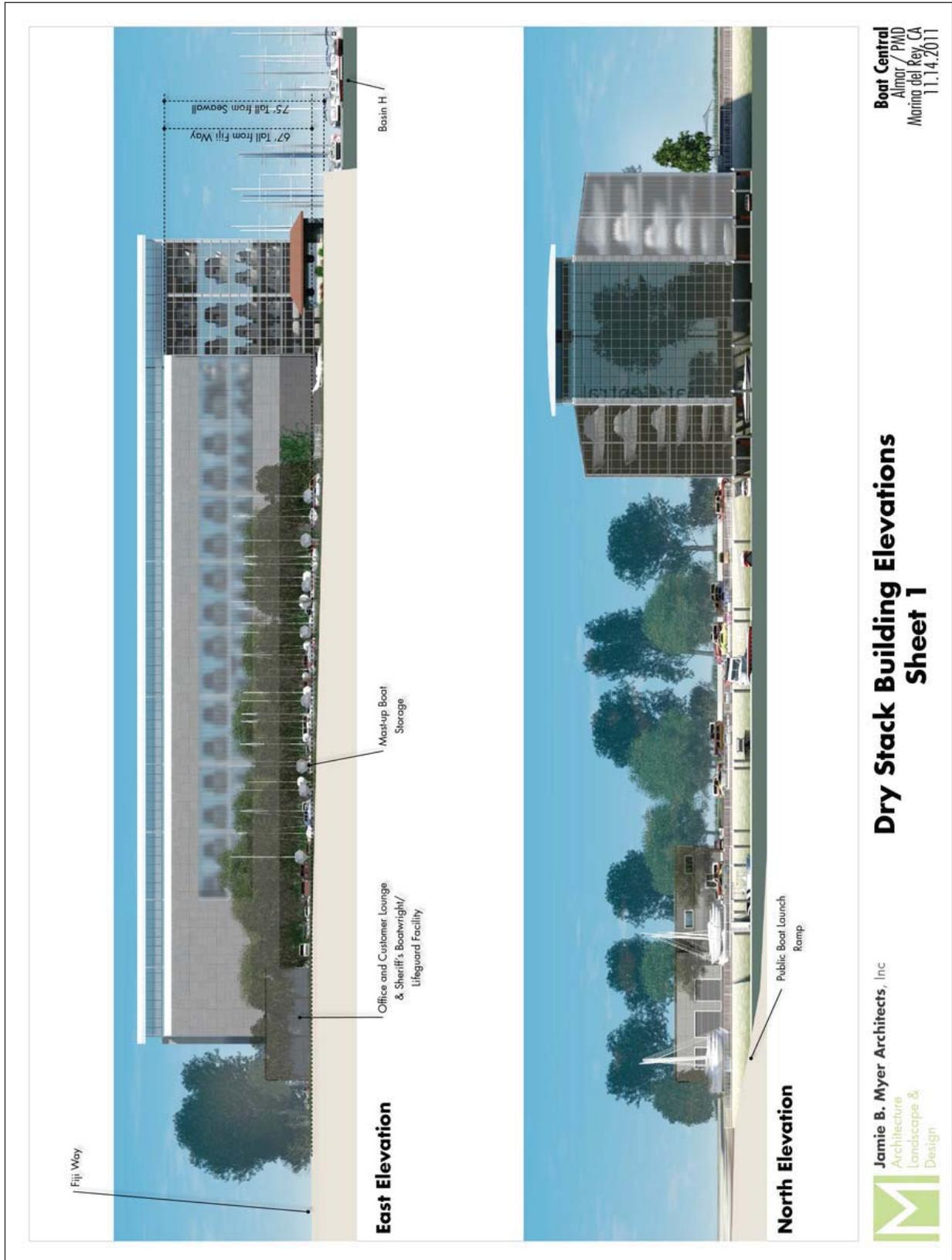


Exhibit 4.3-5 – Elevation 1



Burton W. Chace Park  
PARKING FACILITIES

Meeting Room: 13650 Mindanao Way, Marina del Rey, CA 90292  
GPS coordinate: 33.977316, -118.444997

