



# PUBLIC NOTICE

## NOTICE OF INTENT TO PREPARE A DRAFT EIS/EIR AND HOLD A PUBLIC SCOPING MEETING

U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT

**Public Notice/Application No.:** SPL-2010-00602-JWM

**Project:** Eagle Rock Aggregate Terminal Project, Port of Long Beach

**Comment Period:** October 13, 2011 through November 16, 2011

**Project Manager:** Antal Szijj; 805-585-2147; antal.j.szijj@usace.army.mil

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### Applicant

Eagle Rock Aggregates, Inc.  
700 Wright Avenue  
Richmond, California 90804

### Contact

Bill Terry  
(510) 231-2202

### Location

At the Port of Long Beach, Pier D, Berth D-44, Los Angeles County, CA (at: 33.76955, -118.21558).

### Activity

Dredging of up to 6,000 cubic yards of material and construction of overwater berthing structures to allow for delivery of aggregate materials from Panamax class ships at the Port of Long Beach (see attached drawings). For more information see page 3 of this notice.

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Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit will be issued or denied under Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403). Comments should be mailed to:

DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, CORPS OF ENGINEERS  
VENTURA FIELD OFFICE  
ATTN: ANTAL SZIJJ  
2151 ALESSANDRO DRIVE, SUITE 110  
VENTURA, CALIFORNIA 93001

Alternatively, comments can be sent electronically to: antal.j.szijj@usace.army.mil

## **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.

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

## **Preliminary Review of Selected Factors**

**EIS Determination**- The Corps has determined that an environmental impact statement (EIS) is required for the proposed work. The EIS will be a combined document (EIS/EIR) that also analyzes the project under the California Environmental Quality Act (CEQA). The Port of Long Beach will act as the lead agency under CEQA.

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

**Coastal Zone Management**- The applicant has certified that the proposed activity would comply with and would be conducted in a manner that is consistent with the approved State Coastal Zone Management Program. The District Engineer hereby requests the California Coastal Commission's concurrence or nonconcurrence. 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 that the project is consistent with the State's Coastal Zone Management Plan.

**Cultural Resources**- The latest version of the National Register of Historic Places has been consulted and this site is not listed. The project site has been previously disturbed and most recently utilized as a terminal for offloading and stockpiling of aggregate material, therefore the presence of any previously unknown historic properties that may be eligible for listing on the National Register of Historic Places is extremely unlikely. This review constitutes the extent of cultural resources

investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

**Endangered Species-** The California least tern (*Sterna antillarum browni*), a federally listed endangered species, is known to utilize habitat in the project vicinity. The project site does not provide nesting habitat for the California least tern nor has the adjacent open water been identified as providing important foraging habitat. In light of the existing site conditions and the scope of the Proposed Project, the Corps has made preliminary determinations that 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. The Corps will coordinate with the U. S. Fish & Wildlife Service pursuant to the Fish & Wildlife Coordination Act and Endangered Species Act as appropriate.

**Essential Fish Habitat-** The project site contains essential fish habitat (EFH) for the Coastal Pelagics and Pacific Coast Groundfish Fishery Management Plans (FMPs). The draft EIS/EIR will provide an in-depth evaluation of the proposed project's effects on these marine resources and the Corps will conduct consultation with the National Marine Fisheries Service as appropriate. Impacts to eelgrass (*Zostera marina*) are not anticipated as the depths at the dredge site do not allow sufficient light penetration to support eelgrass. Pre-construction surveys conducted on August 17, 2011 did not find eelgrass present. Additionally, surveillance level surveys of the project area for *Caulerpa taxifolia* conducted in accordance with the Southern California Caulerpa Control Protocol were also negative.

**Public Hearing-** A public scoping meeting for the Draft EIS/EIR will be held in the City of Long Beach during the comment period at the Long Beach City Hall Council Chambers, 333 West Ocean Boulevard, on **November 2, 2011 at 6:00 PM** (see attached map). The purpose of the meeting is to receive public comment and assess public concerns regarding the appropriate scope for preparation of the Draft EIS/EIR. Participation in the public meeting by federal, state and local agencies and other interested organizations and persons is encouraged. Additional opportunities for public involvement will be provided upon publication of the draft EIS/EIR.

English and Spanish translation, as well as sign language translation services, will be provided at the meeting. Please notify the Corps at the contact info below at least 10 days prior to the scoping meeting date if you have any special communication needs.

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

The project would include dredging of up to 6,000 cubic yards of material to provide a depth of -44 feet MLLW plus and overdredge depth of 2 feet, as well as constructing overwater berthing and offloading structures. No discharge of fill material within waters of the United States is proposed. The proposed work would be evaluated pursuant to the Corps' permitting authority under Section 10 of the Rivers and Harbors Act of 1899.

### **Additional Project Information**

**Baseline information-** The Proposed Project site is located at Berth D-44 on Pier D in the Port of the Beach (Port). The site is currently owned by L.G. Everist, Inc. and would be leased to Eagle Rock Aggregates for terminal development and operation. The site, located at 1925 Pier D Street, is bounded by Channel 3 to and SSA Matson to the north, G.P. Gypsum to the east, berths D-41, D-42, and D-43 to the west, and Pier D Street to the south. The site was previously used as an aggregate

import terminal by Connolly-Pacific Company who operated the terminal from 2000 until 2009. The terminal received pre-sorted aggregate that was barged by diesel-powered tugs boats, where it was off-loaded and stockpiled by conveyor systems.

With the exception of some remnant materials associated with the removal of the Connolly-Pacific facility, the Project site is vacant and industrial in character. The majority of the site's surface is made up of gravel and sand. The wharf area is comprised of rock armoring which extends to the channel bottom at a 2:1 slope. The site is fenced on its three land sides and is devoid of native vegetation. The site includes Berth D-44, which currently contains five V-shaped steel stiff legs (part of the vessel mooring system) that extend approximately 45 to 50 feet into Channel 3 to accommodate the mooring of the barges that previously delivered aggregate to the Connolly-Pacific terminal. An additional L-shaped steel pier is located to the east of the vessel mooring system; this pier extends an estimated 40 to 45 feet into the channel.

**Project description-** The Proposed Project would consist of a vessel berthing facility, a conveyor and truck loading system, a product storage pad, truck scales, a pre-fabricated office building, and utilities and fencing. At proposed capacity the Proposed Project would have a throughput of approximately three million tons of aggregate product per year. Product would be delivered to the site by up to 38 Panamax-class vessels annually and transported to local and regional customers via an estimated 125,000 trucks per year.

Dredging would take place along the toe of the existing wharf, over an area approximately 400 feet long by 20 feet wide. An estimated 6,000 cubic yards of material would be dredged and transported via a single barge trip for disposal. The dredged material would be disposed at the confined disposal facility (CDF) created by the ongoing construction of the Middle Harbor Redevelopment Project at Piers D, E and F. The Middle Harbor Redevelopment Project, including disposal of material from various POLB projects and third party sources, was previously addressed under a separate EIS/EIR and has been authorized by the Corps (Permit no. SPL-2004-01053-AOA).

Wharf improvements would include the construction of a berthing system consisting of 28 steel piles driven into the adjacent uplands to provide anchor points for two V-shaped stiff-legs that would extend overwater to support mooring of Panamax-class vessels, followed by concrete forming and the installation of additional steel legs and land-based conveyor system. These improvements, along with the land-based installation of scales and conveyor equipment would prepare the site to receive aggregate via vessel and transport via trucks from the site. The proposed mooring structures would replace the five existing structures and are the only structural component of the project within the Corps' jurisdiction.

**Issues-** There are several potential issues that will be addressed in the draft EIS/EIR. Additional issues may be identified during the scoping process. Issues initially identified as potentially significant include:

1. Air pollutant emissions from construction and operation, including a health risk analysis.
2. Marine water resources, including potential impacts on marine biological resources.
3. Traffic, including navigational issues, and transportation related impacts.
4. Cumulative impacts.

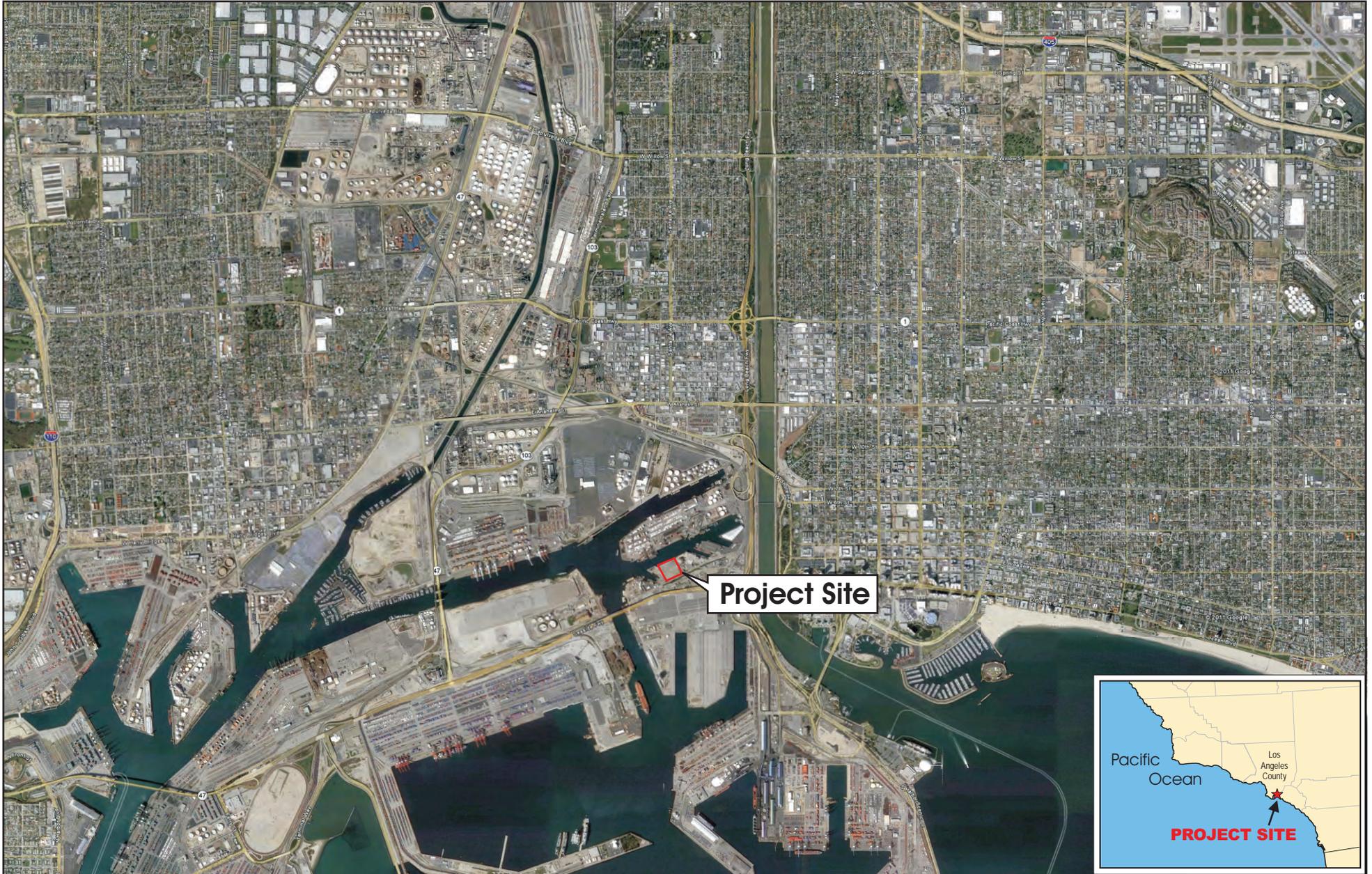
In addition, the DEIS/DEIR will address other issues relating to the Corps' permit action

including, but not limited to greenhouse gas emissions, aesthetics, water quality, noise and cumulative effects.

**Alternatives-** The EIS/EIR will examine alternatives to the Proposed Project, including the *no federal action* alternative. Under this alternative no dredging or wharf improvements would be made. Aggregate delivery via barges as was conducted between 2000 and 2009 could be resumed without the need for any Corps authorization. Additional alternatives may be considered based on the outcome of the scoping process.

**Proposed Mitigation-** Compensatory mitigation is not proposed at this time as the project would not result in the loss of acreage or function of waters of the United States. If approved, avoidance and minimization measures would be required during construction to address potential short-term adverse effects to the aquatic environment resulting from dredging activities.

For additional information please contact Antal Szijj of my staff at 805-585-2147 or via e-mail at [antal.j.szijj@usace.army.mil](mailto:antal.j.szijj@usace.army.mil). This public notice is issued by the Chief, Regulatory Division.



0 4277 8554 17108

Scale in Feet

Source: Google Earth, 2011

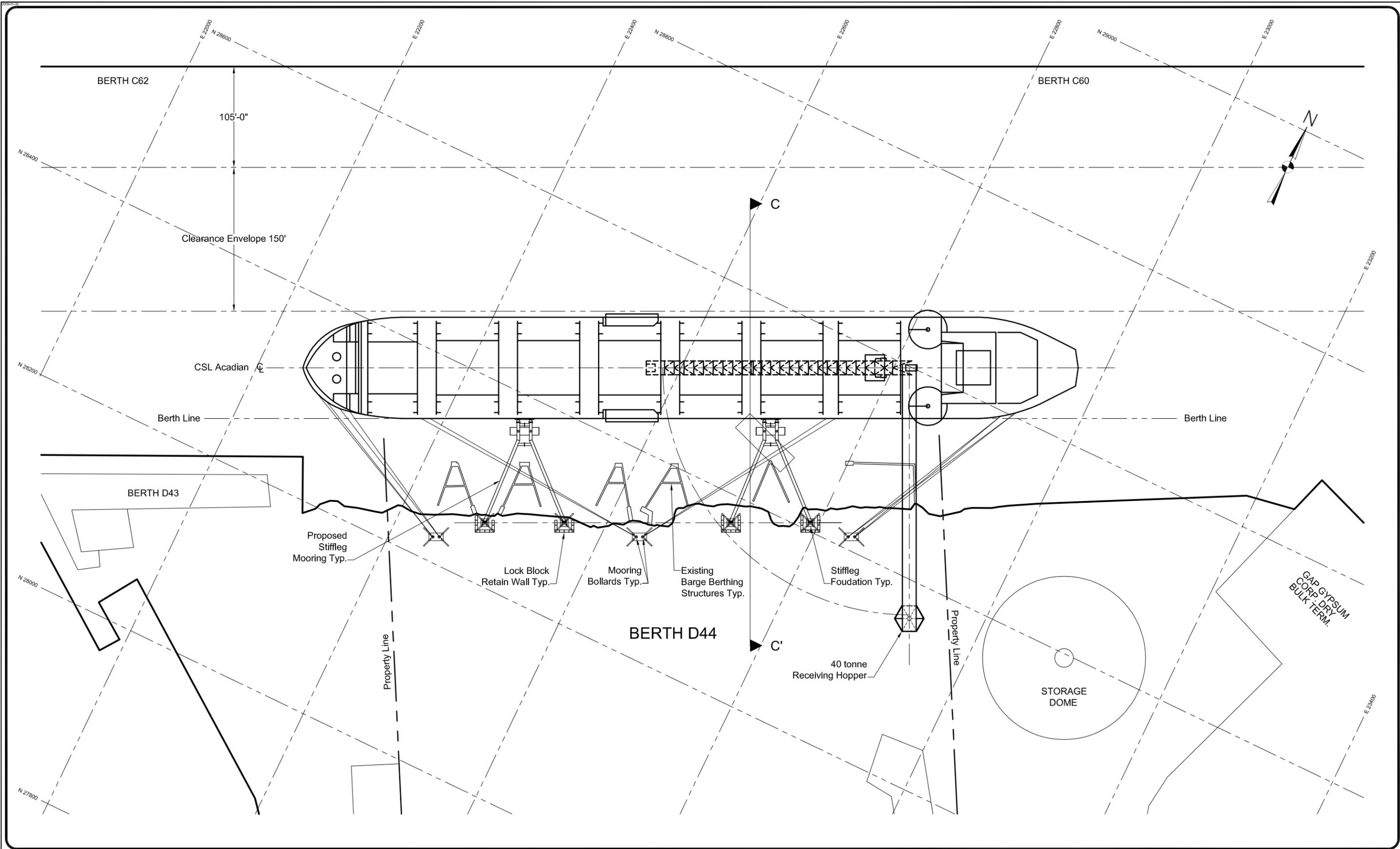
**Figure 4-1**

Regional Location



Source: Google Earth, 2011.

**Figure 4-2**  
 Site Map



revision	description	date	by	checked	number	Drawing Number	Reference Drawings
A	Issued for Client Review	2010-02-04	DS	MM			

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approved	
checked	
drawn	DS 2010-02-02
designed	MM

engineering review

contact information  
 web: www.seabulk.com  
 email: sbs@seabulk.com

client approval

customer:



customer number:

project:

**Ship Mooring  
 Berth 44D  
 Long Beach, California**

date: 2010-02-02

job number:

scale: 1:20



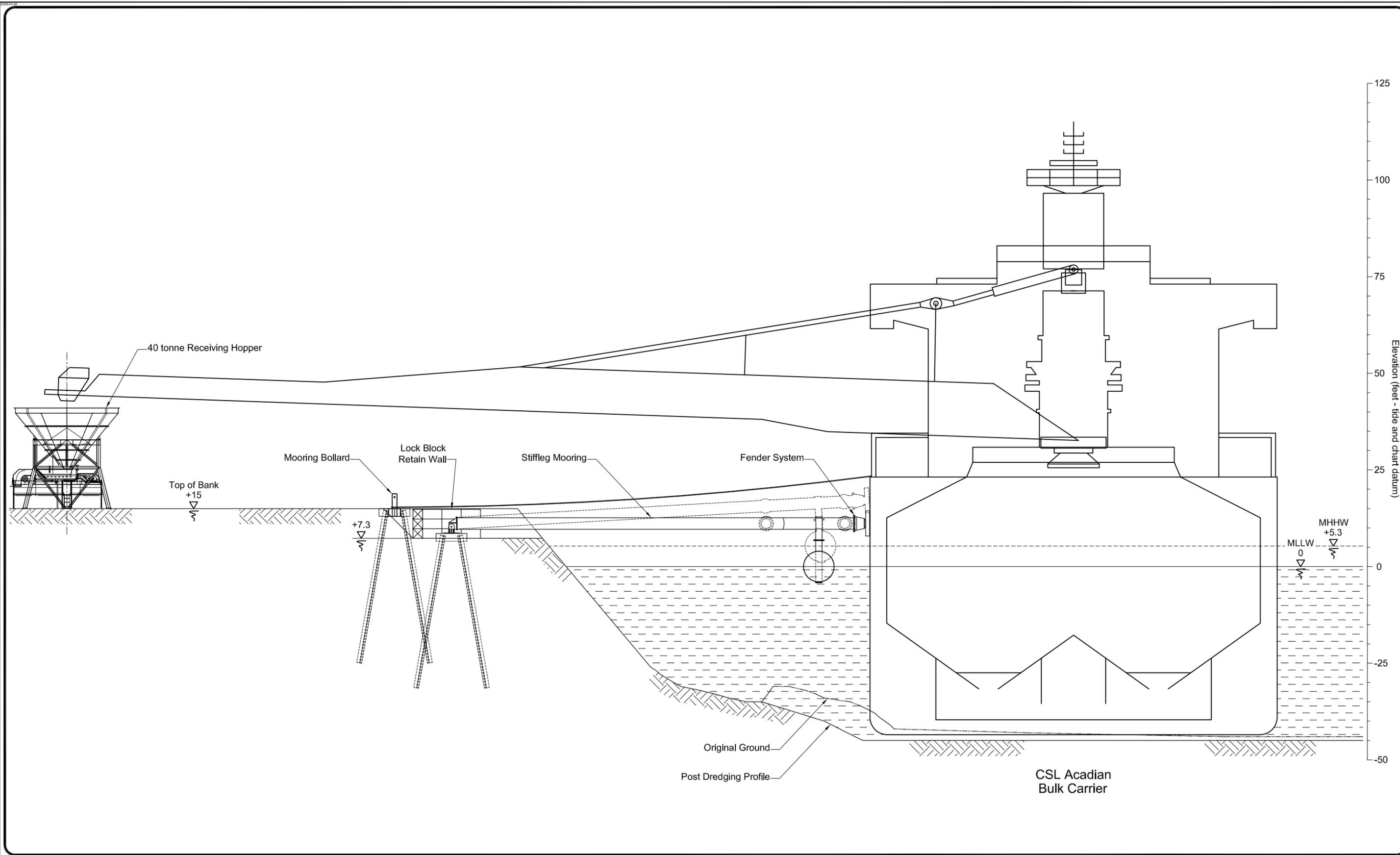
**SEABULK SYSTEMS INC.**  
 Integrated Shipping Solutions

title:  
**Site  
 General Arrangement  
 Plan**

size: D

drawing number:  
**SS - 736-C-001**

revision:  
**A**



revision	description	date	by	checked	number	Drawing Number	Reference Drawings
A	Issued for Client Review	2010-02-04	DS	MM			

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approved  
checked  
drawn DS 2010-02-02  
designed MM

engineering review

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client approval

customer:

customer number:

project:

**Ship Mooring  
Berth 44D  
Long Beach, California**

date: 2010-02-02

job number:

scale: 1:5

**SEABULK SYSTEMS INC.**  
Integrated Shipping Solutions

title:  
**Ship Berth  
General Arrangement  
Section C - C'**

drawing number:  
**SS - 736-C-002**

revision:  
**A**



Address **333 W Ocean Blvd**  
**Long Beach, CA 90802**

Get Google Maps on your phone  
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City Hall Parking is accessed on  
W Broadway, next to Police Station.

