



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

DEPARTMENT OF THE ARMY PERMIT

Permittee: Port of Long Beach
Permit Number: SPL-2013-00475-JWM
Issuing Office: Los Angeles District (CESPL-RG-N)

Note: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The proposed project includes maintenance dredging and routine maintenance of existing structures and facilities as described below.

Maintenance Dredging

The applicant has proposed to conduct routine maintenance dredging of up to 150,000 cubic yards (cy) per year (including up to 15,000 cy for knockdown dredging per year), and no more than 750,000 cubic yards in a five-year period. Sampling and analysis of dredged materials, as well as disposal operations, would be considered on a case by case basis by the South Coast Dredged Material Management Team/Contaminated Sediment Task Force (SC-DMMT/CSTF), and written approval from the Corps would be required for each proposed maintenance dredging and disposal activity.

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Disposal of Dredged Material

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

1. Constructed fill project(s):
 - a. Middle Harbor Pier E, Slip 1 and portion of East Basin, and,
 - b. Pier G South Slip;
2. Upland disposal site(s), including temporary placement at an upland location within the Port of Long Beach for drying and sorting prior to disposal; and,
3. Western Anchorage Western Anchorage Beneficial Re-use and Disposal Site.

Routine Maintenance of Existing Structures/Facilities

Routine maintenance activities covered under this permit may include, but are not limited to:

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

Structural maintenance projects involving a discharge of fill (such as jet driving) would require separate authorization, as well as 401 certification from the Los Angeles Regional Water Quality Control Board. Projects involving an increase in shading or permanent impacts to waters of the U.S. would also require separate authorization.

Project Location: Maintenance dredging and disposal, and routine maintenance of existing structures and facilities would take place within the Long Beach Harbor, City of Long Beach, Los Angeles County, California.

Permit Conditions:

1. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.
2. You must have a copy of this permit available on the vessel used for the authorized transportation and disposal of dredged material.
3. You must advise this office in writing, at least two weeks before you start maintenance dredging activities under the authority of this permit.
4. You must install and maintain, at your expense, any safety lights and signals prescribed by the United States Coast Guard (USCG), through regulations or otherwise, on your authorized facilities. The USCG may be reached at the following address and telephone number:
5. The condition below will be used when a Corps permit authorizes an artificial reef, an aerial transmission line, a submerged cable or pipeline, or a structure on the outer continental shelf.

National Ocean Service (NOS) has been notified of this authorization. You must notify NOS and this office in writing, at least two weeks before you begin work and upon completion of the activity authorized by this permit. Your notification of completion must include a drawing which certifies the location and configuration of the completed activity (a certified permit drawing may be used). Notifications to NOS will be sent to the following address: The Director, National Ocean Service (N/CG 222), Rockville, Maryland 20852.

6. The following condition should be used for every permit where legal recordation of the permit would be reasonably practicable and recordation could put a subsequent purchaser or owner of property on notice of permit conditions.

You must take the actions required to record this permit with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title to or interest in real property.

General Conditions:

1. The **time limit for completing the authorized activity ends on November 13, 2018**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification from this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished with the terms and conditions of your permit.

Special Conditions:

Structures & Work in Navigable Waters

1. 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.
2. No earthwork/upland grading is authorized by this Regional General Permit.
3. The Permittee is authorized to perform routine wharf maintenance activities, involving only like-for-like maintenance and replacement/repair work of existing wharf components. No discharges of fill or increases in shading impacts are authorized for wharf maintenance activities.

4. The Permittee shall not conduct maintenance work authorized under this program within shallow water foraging areas during the nesting season (April 1st through August 31st) for California least tern (*Sterna antillarum browni*). In addition, maintenance activities shall be performed in a manner which minimizes or avoids impacts to sensitive seabird species such as the California brown pelican (*Pelecanus occidentalis*).
5. No jet driving for purposes of pile replacement is authorized by this RGP. Projects involving jet driving require separate authorization and 401 water quality certification from the Los Angeles Regional Water Quality Control Board (Regional Board).
6. No capital improvement projects, expansions, or modifications resulting in a change of the existing use of a structure or facility are authorized by this RGP.
7. Only clean construction materials suitable for use in the oceanic environment are allowed.
8. 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 be placed where it may be washed by rainfall or runoff into waters of the U.S. Therefore, the Permittee shall employ all standard Best Management Practices to insure that toxic materials, silt, debris, or excessive erosion do not enter waters of the United States during project construction. Upon completion of work any excess material or debris shall be removed from the work area and disposed of in an appropriate upland site.
9. The Permittee shall provide an **annual summary** of routine maintenance of existing structures and facilities completed under this RGP to the Corps of Engineers **by December 31st** of each year.
10. 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.

11. No new construction or expansion of structures is permitted.

12. 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.ucsd.edu/hcd/ccpvl.htm>) not earlier than 90 calendar days prior to planned dredging or maintenance and not later than 30 calendar days prior to dredging or maintenance. The results of that survey shall be furnished to the Corps, NOAA Fisheries, and the California Department of Fish and Wildlife (CDFW) 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, in consultation with NOAA Fisheries and CDFG. Pile driving activities within the Port of Long Beach are specifically exempted from the Protocol.

13. The Permittee shall notify the Corps 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.

14. The Permittee shall notify the Commander, Eleventh Coast Guard District, and the Coast Guard Marine Safety Office / Group LA-LB, not less than 14 calendar days prior to commencing work and as project information changes. The notification, either by letter, fax, or e-mail, shall include as a minimum the following information:

A) Project description including the type of operation (i.e. dredging, diving, construction, etc).

B) Location of operation, including Latitude / Longitude (NAD 83).

C) Work start and completion dates and the expected duration of operations.

D) Vessels involved in the operation (name, size and type).

E) VHF-FM radio frequencies monitored by vessels on scene.

F) Point of contact and 24 hour phone number.

G) Potential hazards to navigation.

H) Chart number for the area of operation.

Addresses:

Commander, 11th Coast Guard District (oan)
Coast Guard Island, Building 50-3
Alameda, CA 94501-5100
ATTN: Local Notice to Mariners
TEL: (510) 437-2986
FAX: (510) 437-3423
FAX: (310) 732-2029

U.S. Coast Guard
Marine Safety Office / Group LA-LB
1001 South Seaside Ave., Bldg 20
San Pedro, CA 90731
Attn: Waterways Management
TEL: (310) 732-2020

15. 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, not less than 30 calendar days in advance of operating any equipment adjacent to any aids to navigation which 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 as well as the U.S. Coast Guard, Aids to Navigation office; the USCG Aids to Navigation office can also be contacted at (510) 437-2976 or (510) 437-2983. The Permittee and its contractor are prohibited from relocating or removing any aids to navigation until authorized to do so by the Corps and the U.S. Coast Guard.

16. Should the Permittee determine the work requires the 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 as well as the U.S. Coast Guard, Aids to Navigation office; the USCG Aids to Navigation office can also be contacted at (510) 437-2976 or (510) 437-2983. 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 and the U.S. Coast Guard.

17. Upon notification to the U.S. Coast Guard as specified in Special Condition 14, the Permittee shall forward a copy of the notification to the Coast Guard Captain of the Port (COTP). 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.

18. 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 to the Corps and

to the National Oceanic and Atmospheric Service for chart updating: Gerald E Wheaton, NOAA, Regional Manager, West Coast and Pacific Ocean, DOD Center Monterey Bay, Room 5082, Seaside, CA 93955-6711.

19. The permittee understands and agrees that, if future operations by the United States require 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, 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.

20. In the event steel piles will be driven to replace piles of other materials, the contractor shall be required to use sound abatement techniques to reduce both noise and vibrations from pile driving activities. At the initiation of each pile driving event, the pile driving shall also employ a "soft-start" in which the hammer is operated at less than full capacity (i.e., approximately 40-60% energy levels) with no less than a 1-minute interval between each strike for a 5-minute period.

Dredging & Disposal

1. For this permit, the term dredging operations shall mean: a) navigation of the dredging vessel at the dredging site; b) excavation of dredged material within the project boundaries; c) leveling (knockdown) of high spots through use of a drag-beam, clamshell bucket or excavator; and, d) placement of dredged material into a hopper dredge or disposal barge or scow.

2. The Permittee is **authorized to dredge up to 150,000 cubic yards of sediment per year, including a 15,000 cubic yard per year limit for knockdown dredging, and up to 750,000 cubic yards over the five-year lifetime of the permit.**

Dredging authorized in this permit shall be limited to the areas defined in Sampling and Analysis Plans (SAPs), and limited to no more than the number of cubic yards requested. No dredging is authorized in any other location under this permit. This permit does not authorize the placement nor removal of buoys.

3. **The Permittee shall not commence dredging operations unless and until the Permittee receives a Notice to Proceed, in writing, from the Corps.**

4. For maintenance dredging under this permit, the maximum dredging design depth (also known as the project depth or grade) shall be the current authorized design depth¹ of the berths, with a maximum allowable overdredge depth of -2 feet below the design grade. No dredging shall occur deeper than -2 feet below the design grade or outside the project boundaries. Case-by-case requests to extend the allowable overdepth vertical tolerance are acceptable so long as the need can be justified. Such requests will be approved only after consultation with the South Coast Dredged Materials Management Team/Contaminated Sediments Task Force (SC-DMMT/CSTF)².

5. The Permittee is prohibited from dredging and disposing material in navigable waters of the U.S. that has not been tested and determined by the SC-DMMT/CSTF, to be suitable for a given disposal/re-use location.. Prior to each dredging episode, the Permittee must demonstrate that the proposed dredged materials are chemically and physically suitable for disposal in a given disposal/re-use location according to the provisions of the Inland Testing Manual (USEPA, rev. 1998) or Ocean Disposal Manual (USEPA, rev. 1991) as appropriate. Accordingly, the Permittee shall submit to the SC-DMMT/CSTF a draft sampling and analysis plan (SAP). Sampling may not commence until the SAP is approved, in writing, by the Corps, in consultation with other SC-DMMT/CSTF members. **Re-testing of previously tested or dredged areas is required after three years** from the date of sediment sampling. This time limit is subject to shortening given the occurrence of any event that may cause previously determined clean material to become suspect, at the discretion of the SC-DMMT/CSTF.

6. Under this permit, the disposal options consist of:

- a) Constructed fill projects
 - i. Middle Harbor Pier E, Slip 1 and portion of East Basin; and,
 - ii. Pier G South Slip;
- b) Upland disposal sites; and,
- c) Western Anchorage Beneficial Re-use and Disposal Site.

7. The Permittee shall not conduct maintenance work authorized under this program within shallow water foraging areas during the nesting season (April 1st through August 31st) for California least tern (*Sterna antillarum browni*). In addition, maintenance activities shall be performed in a manner which minimizes or avoids impacts to sensitive seabird species such as the California brown pelican (*Pelecanus occidentalis*).

8. A pre-construction survey of the project area for *Caulerpa taxifolia* (Caulerpa) shall be conducted in accordance with the Caulerpa Control Protocol (see

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

² The SC-DMMT/CSTF is composed of regulatory and resource agencies with jurisdiction over dredging and in-water disposal activities, and includes staff members of the Corps, USEPA Region 9, Los Angeles Regional Water Quality Control Board, California Department of Fish and Wildlife, and the California Coastal Commission

<http://swr.ucsd.edu/hcd/ccpv1.htm>) not earlier than 90 calendar days prior to planned dredging or maintenance and not later than 30 calendar days prior to dredging or maintenance. The results of that survey shall be furnished to the Corps, NOAA Fisheries, and the California Department of Fish and Wildlife (CDFW) 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, in consultation with NOAA Fisheries and CDFW. Pile driving activities within the Port of Long Beach are specifically exempted from the Protocol.

9. FOR DREDGING PROJECTS WITH THE POTENTIAL TO IMPACT EELGRASS: Prior to each maintenance dredging event, a pre-project eelgrass survey should be conducted in accordance with the Southern California Eelgrass Mitigation Policy (SCEMP) (<http://swr.nmfs.noaa.gov/hcd/eelpol.htm>). If the pre-project survey demonstrates eelgrass presence within the project vicinity, a post-project survey should be conducted and impacts to eelgrass mitigated in accordance with the SCEMP. The eelgrass mitigation plan should be submitted to the Corps, NOAA Fisheries, and CDFW at least 30 days prior to the proposed implementation date, and shall include a request for authorization to transplant eelgrass, if proposed.

10. At least 15 calendar days before initiation of any dredging operations authorized by this permit, the Permittee shall send a dredging and disposal operations plan to the Corps and USEPA, with the following information:

- A) A list of the names, addresses and telephone numbers of the Permittee's project manager, the contractor's project manager, the dredging operations inspector, the disposal operations inspector and the captain of each tug boat, hopper dredge or other form of vehicle used to transport dredged material to the designated disposal site.
- B) A list of all vessels, major dredging equipment and electronic positioning systems or navigation equipment that will be used for dredging and disposal operations, including the capacity, load level and acceptable operating sea conditions for each hopper dredge or disposal barge or scow to assure compliance with special conditions on dredging and disposal operations.
- C) The results of a detailed analysis of all material to be dredged pursuant to an approved SAP.
- D) A detailed description of the dredging and disposal operations authorized by this permit. Description of the dredging and disposal operations should include, at a minimum, the following:

i) Dredging and disposal procedures for the specified cubic yards of dredged material determined by the Corps and USEPA to be unsuitable for ocean disposal.

ii) Dredging and disposal procedures for the specified cubic yards of dredged material determined by the Corps and USEPA to be unsuitable for upland or other disposal.

iii) A schedule showing when the dredging project is planned to begin and end.

E) A **predredging bathymetric condition survey** (presented as a large format plan view drawing), **taken within thirty (30) days before the dredging begins**, accurate to 0.5-foot with the exact location of all soundings clearly defined on the survey chart. The predredge survey chart shall be prepared showing the following information:

i) The entire dredging area, the toe and top of all side-slopes and typical cross sections of the dredging areas. To ensure that the entire area is surveyed, the predredge condition survey should cover an area at least 50 feet outside the top of the side-slope or the boundary of the dredging area, unless obstructions are encountered.

ii) The dredging design depth, overdredge depth and the side-slope ratio.

iii) The total quantity of dredged material to be removed from the dredging areas and the side-slope areas.

iv) Areas shallower than the dredging design depth shall be shaded green, areas between the dredging design depth and overdredge depth shall be shaded yellow, and areas below overdredge depth that will not be dredged shall be shaded blue. If these areas are not clearly shown, the Corps may request additional information.

v) The predredging survey chart shall be signed by the Permittee to certify that the data are accurate and that the survey was completed within thirty (30) days before the proposed dredging start date.

F) A **debris management plan** to prevent disposal of large debris at all disposal locations. The debris management plan shall include: sources and expected types of debris, debris separation and retrieval methods, and debris disposal methods.

11. The Permittee shall maintain a copy of this permit on all vessels used to dredge, transport and dispose of dredged material authorized under this permit.

12. The Permittee shall notify the Commander Eleventh Coast Guard District (USCG), and the Coast Guard Marine Safety Office / Group LA-LB not less than 14 calendar days prior to commencing work and as project information changes. A copy of each notification to the USCG shall be sent to the Corps for our file. The notification, either by letter, fax, or e-mail, shall include as a minimum the following information:

- A) Project description including the type of operation (i.e. dredging, diving, construction, etc).
- B) Location of operation, including Latitude / Longitude (NAD 83).
- C) Work start and completion dates and the expected duration of operations.
- D) Vessels involved in the operation (name, size and type).
- E) VHF-FM radio frequencies monitored by vessels on scene.
- F) Point of contact and 24 hour phone number.
- G) Potential hazards to navigation.
- H) Chart number for the area of operation.

Addresses:

Commander, 11th Coast Guard District (oan)
Coast Guard Island, Building 50-3
Alameda, CA 94501-5100
ATTN: Local Notice to Mariners
TEL: (510) 437-2986
FAX: (510) 437-3423
FAX: (310) 732-2029

U.S. Coast Guard
Marine Safety Office / Group LA-LB
1001 South Seaside Ave., Bldg 20
San Pedro, CA 90731
Attn: Waterways Management
TEL: (310) 732-2020

13. 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 USCG in writing, with a copy to the Corps, not less than 30 calendar days in advance of operating any equipment adjacent to any aids to navigation which 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 as well as the USCG, Aids to Navigation office. The Permittee and its contractor(s) are prohibited from relocating or removing any aids to navigation until authorized to do so by the Corps and the U.S. Coast Guard.

14. Should the Permittee determine the work requires the 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 as well as the U.S. Coast Guard, Aids to Navigation office. 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 and the USCG.

15. The Permittee shall ensure that the captain of any hopper dredge, tug or other vessel used in the dredging and disposal operations, is a licensed operator under USCG regulations and follows the Inland and Ocean Rules of Navigation or the USCG Vessel Traffic Control Service. All such vessels, hopper dredges or disposal barges or scows, shall have the proper day shapes, operating marine band radio, and other appropriate navigational aids.

16. The Permittee's contractor(s) and the captain of any dredge covered by this permit shall monitor VHF-FM channels 13 and 16 while conducting dredging operations.

17. Upon request, the Permittee and its contractor(s) shall allow inspectors from the Corps, EPA, and(or) the USCG to inspect all phases of the dredging and disposal operations.

18. Upon request, the Permittee and its contractor(s) retained to perform work authorized by the permit or to monitor compliance with this permit shall make available to inspectors from the Corps, EPA, and(or) the USCG the following: dredging and disposal operations inspectors' logs, the vessel track plots and all disposal vessel logs or records, any analyses of the characteristics of dredged material, or any other documents related to dredging and disposal operations.

19. The permitted activity shall not interfere with the public's right to free navigation on all navigable waters of the United States.

20. If a violation of any permit condition occurs, the violation shall be reported by the Permittee to the Corps within twenty-four (24) hours. If the Permittee retains any contractors to perform any activity authorized by this permit, the Permittee shall instruct all such contractors that notice of any violations must be reported to the Permittee immediately.

21. When using a hopper dredge, water flowing through the weirs shall not exceed 10 minutes during dredging operations. The level that a hopper dredge can be filled shall not exceed the load line to prevent any dredged material or water from spilling over the sides at the dredging

site or during transit from the dredging site to the disposal site. No hopper dredge shall be filled above this predetermined level. Before each hopper dredge is transported to the disposal site, the dredging site inspector shall certify that it is filled correctly.

22. When using a disposal barge or scow, no water shall be allowed to flow over the sides. The level that a disposal barge or scow can be filled shall not exceed the load line to prevent any dredged material or water from spilling over the sides at the dredging site. No disposal barge or scow shall be filled above this predetermined level. Before each disposal barge or scow is transported to the disposal site, the dredging site inspector shall certify that it is filled correctly.

23. The Permittee shall use an electronic positioning system to navigate at the dredging site. The electronic positioning system shall have a minimum accuracy and precision of +/- 10 feet (3 meters). If the electronic positioning system fails or navigation problems are detected, all dredging operations shall cease until the failure or navigation problems are corrected. Any navigation problems and corrective measures shall be described in the post-dredging completion report per Special Condition 20.

24. The Permittee shall submit a **post-dredging completion report to the Corps within 30 calendar days after completion of each dredging project** to document compliance with all general and special conditions defined in this permit. The report shall include all information collected by the Permittee, the dredging operations inspector and the disposal operations inspector or the disposal vessel captain as required by the special conditions of this permit. The report shall indicate whether all general and special permit conditions were met. Any violations of the permit shall be explained in detail. The report shall further include the following information:

- A) Permit and project number.
- B) Start date and completion date of dredging and disposal operations.
- C) Total cubic yards disposed at the disposal site.
- D) Mode of dredging.
- E) Mode of transportation.
- F) Form of dredged material.
- G) Frequency of disposal and plots of all trips to the disposal site.
- H) Tug boat or other disposal vessel logs documenting contact with the USCG before

each trip to the ocean disposal site.

I) Percent sand, silt and clay in dredged material.

J) A certified report from the dredging site inspector indicating all general and special permit conditions were met. Any violations of the permit shall be explained in detail.

K) A **detailed post-dredging hydrographic survey of the dredging area**. The survey shall show areas above the dredging design depth shaded green, areas between the dredging design depth and overdredge depth shaded yellow, areas below overdredged depth that were not dredged or areas that were deeper than the overdredge depth before the project began as indicated on the predredging survey shaded blue, and areas dredged below the overdredge depth or outside the project boundaries shaded red. The methods used to prepare the post-dredging survey shall be the same methods used in the predredging condition survey. The survey shall be signed by the Permittee certifying that the data are accurate.

L) The post-dredging report shall be signed by the Permittee or a duly authorized representative of the Permittee. The following certification shall be included in the post-dredging report:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

25. The Permittee shall comply with the following knockdown dredging criteria:

- Knockdown dredging where material is not removed but redistributed is limited to no more than 15,000 cubic yards (cy) of material per year, and no more than 2,000 cy per event at a given location.
- Knockdown dredging shall not be performed in the same area more than once per year.

C) Knockdown dredging shall, at all times, be contained within an approved project boundary. The project boundary will be determined on a case-by-case basis in coordination with the SC-DMMT/CSTF. Material resulting from the knockdown dredging shall not be moved more than a 1,500 foot radius from where the high spot is located.

D) The Port and its contractor shall be allowed a knockdown dredging tolerance of 1-foot below the design depth/permitted depth.

E) As with traditional dredging methods, sediment sampling (i.e. elutriate testing) shall be performed prior to each knockdown dredging project. The sampling approach shall

be presented in a draft Sampling and Analysis Plan (SAP) and provided to the SC-DMMT/CSTF for approval.

Further Information:

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:

(X)Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X)Section 404 of the Clean Water Act (33 U.S.C. 1344).

(X)Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.


Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measure ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give you favorable consideration to a request for an extension of this time limit.

ALLEN
CESPL-RG-N

MARKHAM
CESPL-RG-N

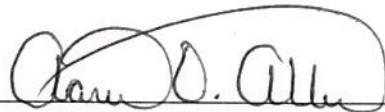
Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.


PERMITTEE

11/19/13
DATE

Heather Tomley
Acting Director of Environmental Planning

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.


Aaron O. Allen, Ph.D.
Chief, North Coast Branch
Regulatory Division

December 2, 2013
DATE

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

TRANSFeree

DATE

MAINTENANCE DREDGE AREA

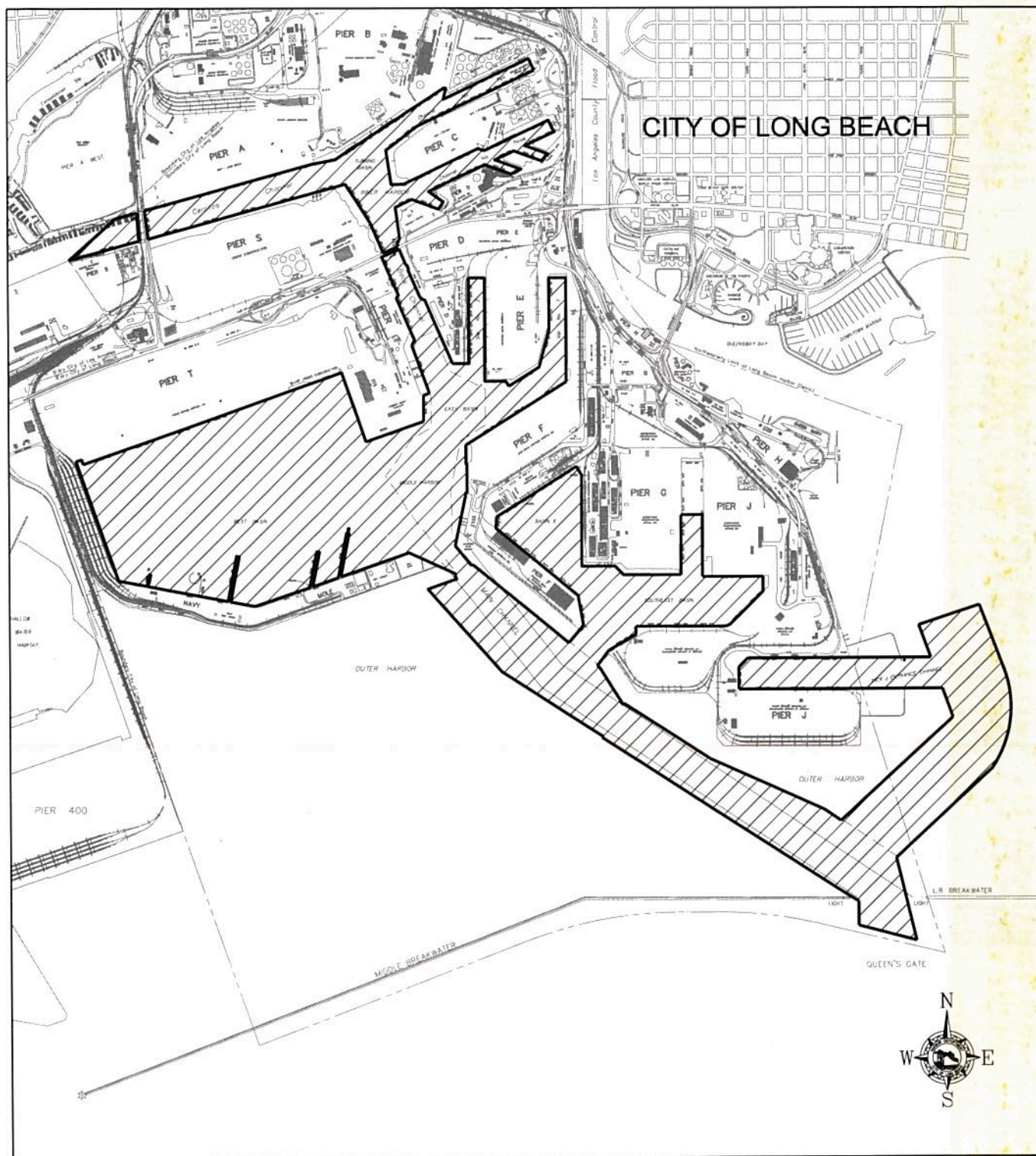


Figure 1



Figure 2

Proposed Disposal Sites

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