



U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

BUILDING STRONG®

APPLICATION FOR PERMIT
Dredging/Disposal work at the Tijuana River Ocean Inlet

Public Notice/Application No.: SPL-2011-00383-RRS

Project: Dredging/disposal work within the Tijuana River Ocean inlet within the Tijuana Estuary

Comment Period: December 16, 2016 through January 17, 2017

Project Manager: Robert Smith; 760-602-4831; Robert.R.Smith@usace.army.mil

Applicant

Brian Collins
US Fish and Wildlife Service –
Refuge Manager
San Diego Bay and Tijuana Slough
National Wildlife Refuges
(619) 575-2704 x 302
301 Caspian Way
Imperial Beach, California 91932

Contact

Victoria Touchstone
US Fish and Wildlife Service –Refuge Planner
San Diego Bay and Tijuana Slough
National Wildlife Refuges
(619) 476-9150 x 103
301 Caspian Way
Imperial Beach, California 91932

Location

The project is located at the river mouth of the Tijuana River Estuary in the Tijuana River National Estuarine Research Reserve, San Diego County, and Imperial Beach, California. The project location is on federal lands within the Tijuana Slough National Wildlife Refuge (TSNWR) held in fee title by the US Fish and Wildlife Service (USFWS) and on State Lands leased to the USFWS by the California State Lands Commission for the operation and management of a National Wildlife Refuge. (Latitude: 32.552913, Longitude: -117.127288).

Activity

The project proposes to perform dredging and disposal and related inlet maintenance of up to 10,000 cubic yards of clean suitable sandy material per year from the Tijuana River mouth that has been blocked to tidal circulation by oceanic waves, estuarine flows, and currents (littoral) for the last five years. Previously the Corps had issued a Letter of Permission (LOP) for the work. Also in April and May of 2016, the inlet was closed leading to severely degraded water quality with nutrient rich influxes of freshwater that lead to hypoxic conditions in the estuary which caused a fish and benthic invertebrate die-off and flooding damage within the City of Imperial Beach. The Corps authorized the reopening of the inlet various Corps RGP 63 emergency permit authorizations to allow both dredging and disposal of dredged material near the ocean inlet. The USFWS now seeks a five-year permit to perform maintenance per the attached figures.

In addition the Corps has received a request from the USFWS for the McCoy Trail Accessibility Improvements Project within the same vicinity. For more information also see Additional Information section.

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:

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
ATTN: Robert Smith
Carlsbad Field Office
5900 La Place Ct., Suite 100
Carlsbad, CA 92008

Alternatively, comments can be sent electronically to: Robert.R.Smith@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 U.S. 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 Environmental Protection Agency (EPA) Guidelines (40 CFR Part 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps 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 to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made 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 any individual Section 404 permit provide proof of water quality certification to the Corps prior to permit issuance. The USFWS has indicated that they are to apply for the Section 401 soon.

Coastal Zone Management (CZMA)- 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 USFWS, the applicant and lead federal agency, has applied for the CZMA compliance and the Corps will adopt their CZMA compliance per lead agency guidance.

Essential Fish Habitat- Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act (MSA), occurs within the project area and EFH is affected by the

proposed project. Therefore, formal consultation under Section 305(b)(2) of the MSA is required at this time. As lead federal agency, USFWS shall consult with the National Oceanic Atmospheric Administration (NOAA) Fisheries and include the Corps' federal action in its consultation. The USFWS' preliminary determination indicates the proposed activity may adversely affect EFH. The Corps will continue its coordination with USFWS on its EFH consultation, which should cover the Corps' federal action, to ensure the Corps' compliance with MSA.

Cultural Resources- The area has been previously disturbed by previous dredging and disposal activities. The latest version of the National Register of Historic Places has been consulted and this site is not listed per the USFWS' last cultural survey done under the previous Corps permit. 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 (ESA) - Preliminary determinations indicate the proposed activity would affect federally listed endangered or threatened species, or their critical habitat. Formal consultation under Section 7 of the Endangered Species Act shall be required. The project also affects lands within Border Field State Park, a protected reserve managed by the California Department of Parks. The Corps will adopt the USFWS' lead agency ESA determination once completed. The Refuge and State Park make up the bulk of lands managed as a National Estuarine Research Reserve. This Reserve is managed jointly in a Federal/State partnership between the National Oceanic and Atmospheric Administration, California Department of Parks, the United States Navy and the United States Fish and Wildlife Service Division of National Wildlife Refuges. The Tijuana Estuary is designated as a Ramsar wetland of international importance and an Important Bird Area by the American Bird Conservancy.

Listed species and/or their critical habitat within the action area:

1. California least tern (*Sternula antillarum browni*) (endangered)
2. Western snowy plover (*Charadrius alexandrinus nivosus*) (threatened)
3. Ridgeway's rail (*Rallus obsoletus*) (endangered)
4. Salt marsh bird's-beak (*Cordylanthus maritimus maritimus*) (endangered)
5. Designated critical habitat for the western snowy plover at Tijuana Slough NWR (Unit CA-27F).

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

Proposed Activity for Which a Permit is Required

Basic Project Purpose- The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent (i.e., requires access or proximity to or siting within the special aquatic site to fulfill its basic purpose). Establishment of the basic project purpose is necessary only when the proposed activity would discharge dredged or fill material into a special aquatic site (e.g., wetlands, pool and riffle complex, mudflats, coral reefs). Because no fills are proposed within special aquatic sites, identification of the basic project purpose is not necessary. The basic project purpose for the proposed project is flood control, ecological restoration, and beach nourishment. The project is water dependent.

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 for the proposed project is to perform maintenance dredging, ecological restoration, and beach nourishment to keep the Tijuana River ocean inlet open to maintain the ecological health and biological integrity of the Tijuana Estuary.

Additional Project Information:

Baseline information-The main slough channels that feed the northern and southern arm of the Tijuana Estuary have been blocked by migrating sand that was moved into the channel by a series of extremely large rain, high surf, and wind storm events during the prior years, including most recently 2010, 2012, 2014, and April and May 2016. Sand has been deposited to an estimated depth of four to six feet over a large area of the Tijuana River mouth that has created a condition wherein sediment-rich storm water runoff from canyons draining from Mexico has backed up in the estuary.

The project areas do not contain any contaminants of concern at substantially adverse levels as regulated under the Inland Testing Manual (ITM) as the dredged material is clean washed sands and complies with the ITM under the Tier 1 exemption that does not require a Sampling and Analysis Plan and Tier 2 testing protocols. The historic temporary closure situation has created a number of negative impacts to the habitats of the southern arm of the estuary, including impacts to endangered species and their habitats and threats to existing tidal restoration areas (water quality issues such as lack of dissolved oxygen, turbidity, and impacts to a 20-acre demonstration scientific restoration study site that is completely dependent on waters entering the slough for tidal exchange. The USFWS has spent within the last few years up to \$32,000,000 to ensure the ecological health of the slough meets proper standards.

In addition the Corps has received a request from the USFWS for the McCoy Trail Accessibility Improvements Project within the same vicinity. The TSNWR area is mostly natural refuge lands with high value coastal tidal wetlands with an existing earthen trail system that connects the visitor center to the TSNWR and the southern slough of the ocean inlet.

Project Description- Dredging of the inlet would extend 300 to 500 linear feet by five to 20 feet in width for an impact to navigable waters of the U.S. of up to 10,000 square feet as shown in the attached drawings. The Corps may allow for other inlet dredging and disposal configurations if conditions change from storm events within the circled area shown in the attached drawings. The dredged material to be discharged has been determined to be clean sandy material from the inlet and will be dredged and then transported to an adjacent upland area above the High Tide Line of 7.14 feet mean lower low water (MLLW) within the inlet area as shown in the attached drawings. The proposed project includes the dredging and discharge of clean riverwashed sand taken from the river mouth area onto the coastal dune crest or shoreline either north or south of the present river mouth area, thereby enhancing the barrier dune system's ability to function to protect the marsh habitats within the estuary from wave driven soils transport that could further clog the estuary's tidal system and its ability to maintain normal water chemistry conditions within the salt marsh via regular diurnal tidal exchange. Fill material would be carefully placed above the mean higher high water mark and thus out of Corps jurisdictional waters in most cases but may be placed in some areas below the Corps High Tide Line and Mean High Water mark if needed for shore restoration.

Also the project will rehabilitate the trail system near the TSNWR and the McCoy trail near the visitor center. The proposed McCoy trail project will have minor impacts to several estuaries tributary

to the south slough with small foot bridges, trail reconstruction, trail resurfacing, riprap reconfiguration, excavation, retaining walls, and replacement of two puncheons. Most of the work is in the uplands and is spanned over existing estuaries near the visitor center and the U.S. Navy Landing Field as shown in the attached figures.

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

Avoidance: The project avoids any direct impacts to any special aquatic sites such as wetlands or eelgrass that occur in the slough project area or any impacts to the beach or shoreline areas. The McCoy Trail project has very minor impacts and no mitigation is proposed for that portion of the project.

Minimization: Minimization measures include compliance with turbidity monitoring, work cessation if needed due to turbidity exceedances, use of equipment that accesses the site from Imperial Beach, and avoidance of wetlands and eelgrass areas at the inlet during work. Additional minimization measures may be required as determined during the pending EFH and ESA consultations with NOAA Fisheries and USFWS, respectively.

Compensation: Currently no mitigation is proposed due to no identifiable adverse impacts to any wetlands, eelgrass, kelp, slough mud flats, or any listed species. The project will restore tidal exchange to the Tijuana River Slough which will have substantial ecological restoration functional gain and benefits to the TSNWR, the Tijuana River watershed and nearby Pacific Ocean.

Proposed Special Conditions

No special conditions are proposed at this time.

For additional information please call Robert Smith of my staff at 760-602-4831 or via e-mail at Robert.R.Smith@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.



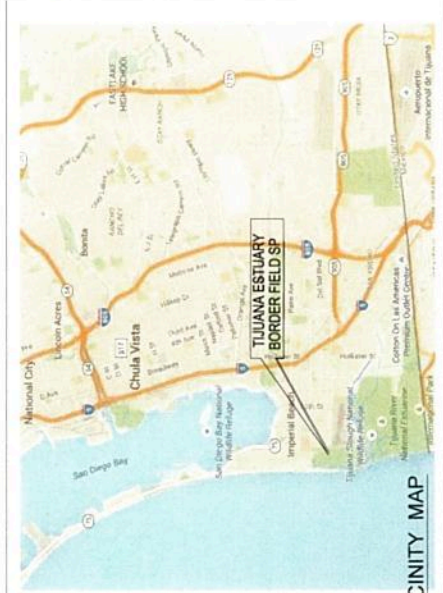
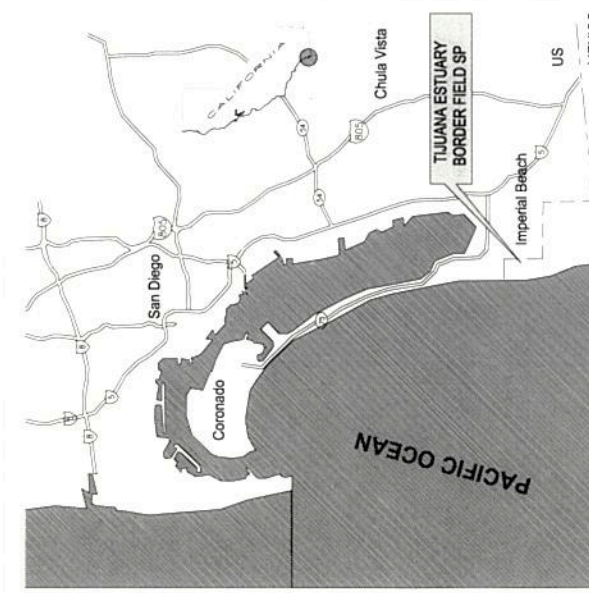
Regulatory Program Goals:

- 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.

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
Carlsbad Field Office
5900 La Place Ct., Suite 100
Carlsbad, CA 92008
WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY



CALIFORNIA DEPARTMENT OF PARKS AND RECREATION
ACQUISITION AND DEVELOPMENT DIVISION
TIJUANA ESTUARY/ BORDER FIELD STATE PARK
MCCOY TRAIL ACCESSIBILITY IMPROVEMENTS



THIS PROJECT WILL UPGRADE THE EXISTING NORTH AND SOUTH MCCOY TRAILS TO DEPARTMENTAL ACCESSIBILITY STANDARDS. SPECIFIC UPGRADES INCLUDE:

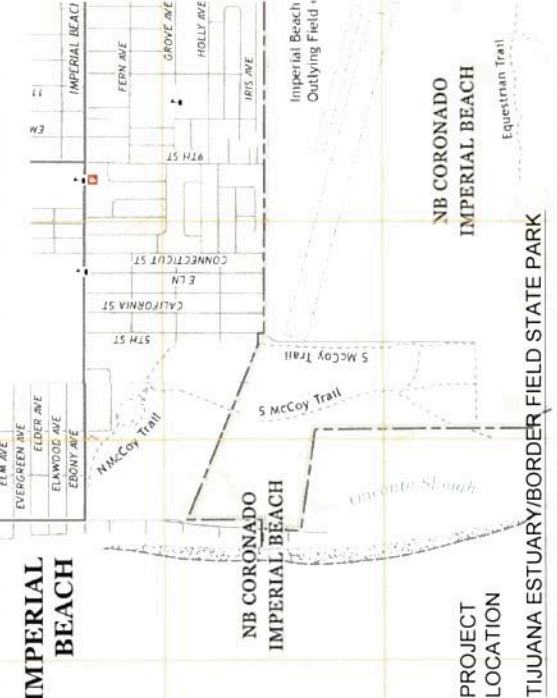
- CONSTRUCT CONCRETE ACCESSIBLE PARKING STALL AT IRIS AVE
- PARKING LOT TO REPLACE EXISTING ASPHALT PAVING, SIGN AND STRIPE
- IMPROVE EXISTING TRAIL SURFACES AND CORRECT CROSS SLOPES WHERE NECESSARY (SEE PLANS)
- REPAIR BRIDGE AND PUNCHED DECKING (REPLACE 4 PUNCHED) (S)
- UPGRADE 4 OVERLOOKS AND INSTALL BENCH SEATING
- INSTALL NEW DIRECTIONAL AND TRAIL HEAD SIGNAGE

PROJECT SCOPE

BUILDING CONSTRUCTION TYPE	NA	FIRE ALARM	NA
OCCUPANCY CLASSIFICATION	NA	OTHER FIRE DETECTION SYSTEMS	NA
NUMBER OF STORIES	NA	SMOKE CONTROL SYSTEM	NA
ACTUAL BUILDING HEIGHT	NA	FIRE HAZARD SEVERITY ZONE	NA
BUILDING AREA IN SF	NA	LAND USE ZONING	PARK
FIRE SPRINKLED	NA		

CODE REVIEW

IMPERIAL BEACH



PROJECT LOCATION

TIJUANA ESTUARY/BORDER FIELD STATE PARK

PROJECT ADDRESS:
301 CASPIAN WAY
IMPERIAL BEACH, CA 91932
SAN DIEGO COUNTY

SHEET	SHEET NO
COVER SHEET	G-1
SITE REFERENCE SHEET	L-1
LAYOUT PLAN	L-2
DETAIL SHEET	L-3
DETAIL SHEET	D-1
DETAIL SHEET	D-2
DETAIL SHEET	D-3
DETAIL SHEET	D-4
DETAIL SHEET	D-5

DRAWING SHEET INDEX

ENVIRONMENTAL NOTES

1. TO AVOID DISTURBANCE TO BREEDING AND NESTING LIGHT FOOTED BIRDWAYS AND BELONGS SAVANNAH SPARROWS. NO TRAIL WORK OR BRIDGE/PUNCHED STRUCTURAL MAINTENANCE SHALL BE PERMITTED FROM FEBRUARY 15 AND AUGUST 15 UNLESS APPROVED BY THE REFUGE MANAGER
2. TO AVOID IMPACTS TO WETLANDS, APPROVAL FROM THE REFUGE MANAGER SHALL BE OBTAINED FOR THE LOCATION OF ALL NEW BENCHES ALONG THE SOUTH MCCOY TRAIL AND THE RELOCATION SITES OF THE TWO INTERPRETIVE PANELS ALONG THE NORTH MCCOY TRAIL

GENERAL NOTES

1. ALL MATERIALS SHOWN OR NOTED ON THE PLANS ARE NEW UNLESS CALLED OUT OTHERWISE
2. THE CONTRACTOR SHALL VISIT THE SITE AND VERIFY ALL EXISTING CONDITIONS SHOWN OR NOTED ON THE PLANS. ANY DISCREPANCIES SHALL BE REPORTED TO THE STATE REPRESENTATIVE FOR RESOLUTION BEFORE PROCEEDING WITH THAT PORTION OF THE WORK
3. ALL WORK SHALL COMPLY WITH THE CURRENT EDITION OF THE FOLLOWING LISTED CODES, AND ALL OTHERS HAVING THE SAME OR LATER EDITION DATE:
 - 2013 EDITION OF THE CALIFORNIA BUILDING CODE
 - 2013 EDITION OF THE CALIFORNIA FIRE CODE
 - 2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE
 - 2013 EDITION OF THE CALIFORNIA PLUMBING CODE
 - 2013 EDITION OF THE CALIFORNIA MECHANICAL CODE
 - 2013 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE
 - 2013 ADA STANDARDS FOR ACCESSIBLE DESIGN
4. CONDUCT ALL WORK IN ACCORDANCE WITH THE LATEST SAFETY RULES AND REGULATIONS OF ALL AUTHORITIES AND AGENCIES HAVING JURISDICTION OVER THE WORK
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS. WHERE DETAILED INFORMATION IS NOT PROVIDED, THE CONTRACTOR SHALL REFER TO THE STATE REPRESENTATIVE FOR WRITTEN RESOLUTION
6. THE CONTRACTOR SHALL NOT SCALE THE DRAWINGS, BUT SHALL RELY ON THE WRITTEN DIMENSIONS GIVEN. IF A DISCREPANCY EXISTS BETWEEN THE DRAWINGS AND THE WRITTEN DIMENSIONS, THE CONTRACTOR SHALL NOTIFY THE STATE REPRESENTATIVE FOR WRITTEN CLARIFICATION BEFORE PROCEEDING WITH THAT PORTION OF THE WORK

COVER SHEET
ACCESSIBILITY IMPROVEMENTS
MCCOY TRAIL
TIJUANA ESTUARY/ BORDER FIELD STATE PARK

REVISIONS
XXXXXX
SHEET NO
G-1
1 OF 8

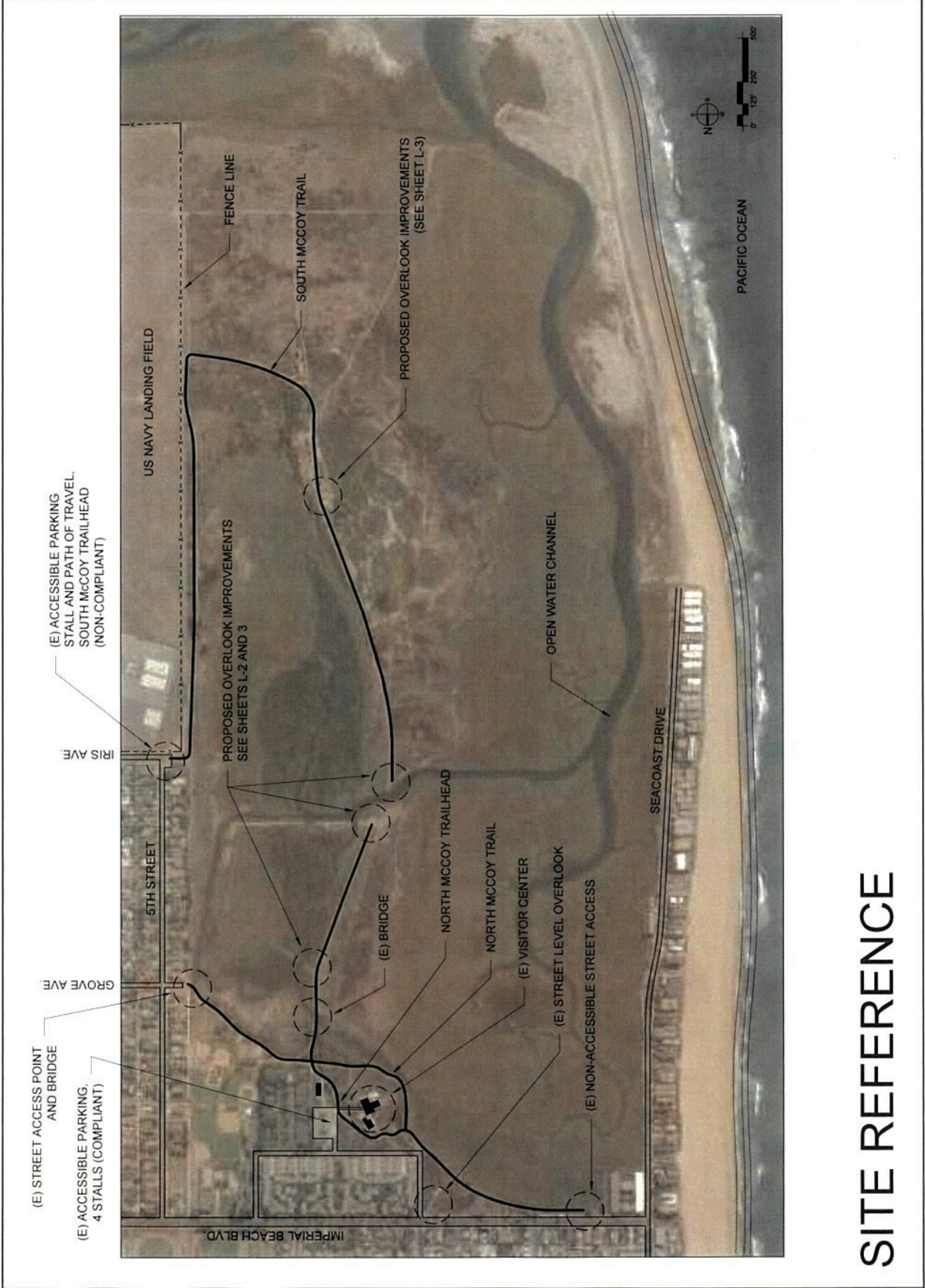


ACQUISITION &
DEVELOPMENT DIVISION
One Capitol Mall
Sacramento, CA
95814-3225

CALIFORNIA STATE PARKS, ADVISEE Approval of this plan does not constitute an endorsement of the project or the project's design. The project is the responsibility of the applicant. The applicant is responsible for obtaining all necessary permits and for compliance with all applicable laws and regulations.	
DESIGNED BY	S. NAWRATH
CHECKED BY	S. NAWRATH
DATE	8-16-2015
REVISIONS	DATE
1	02-12-2016

TIJANA ESTUARY/BOARDER FIELD STATE PARK
MCCOY TRAIL
ACCESSIBILITY IMPROVEMENTS
SITE REFERENCE

DRAWING NO.	XXXXX XXX
SHEET NO.	L-1
	2 of 8



SITE REFERENCE



ACQUISITION &
DEVELOPMENT DIVISION
Office of Capital Asset
Management
Sacramento, CA
5814 3279

DESIGNED BY S. NAWRATH	CHECKED BY S. NAWRATH	DATE 6-16-2015	REVISIONS DATE 02-12-2016
APPROVED BY S. NAWRATH			
DATE 02-12-2016			

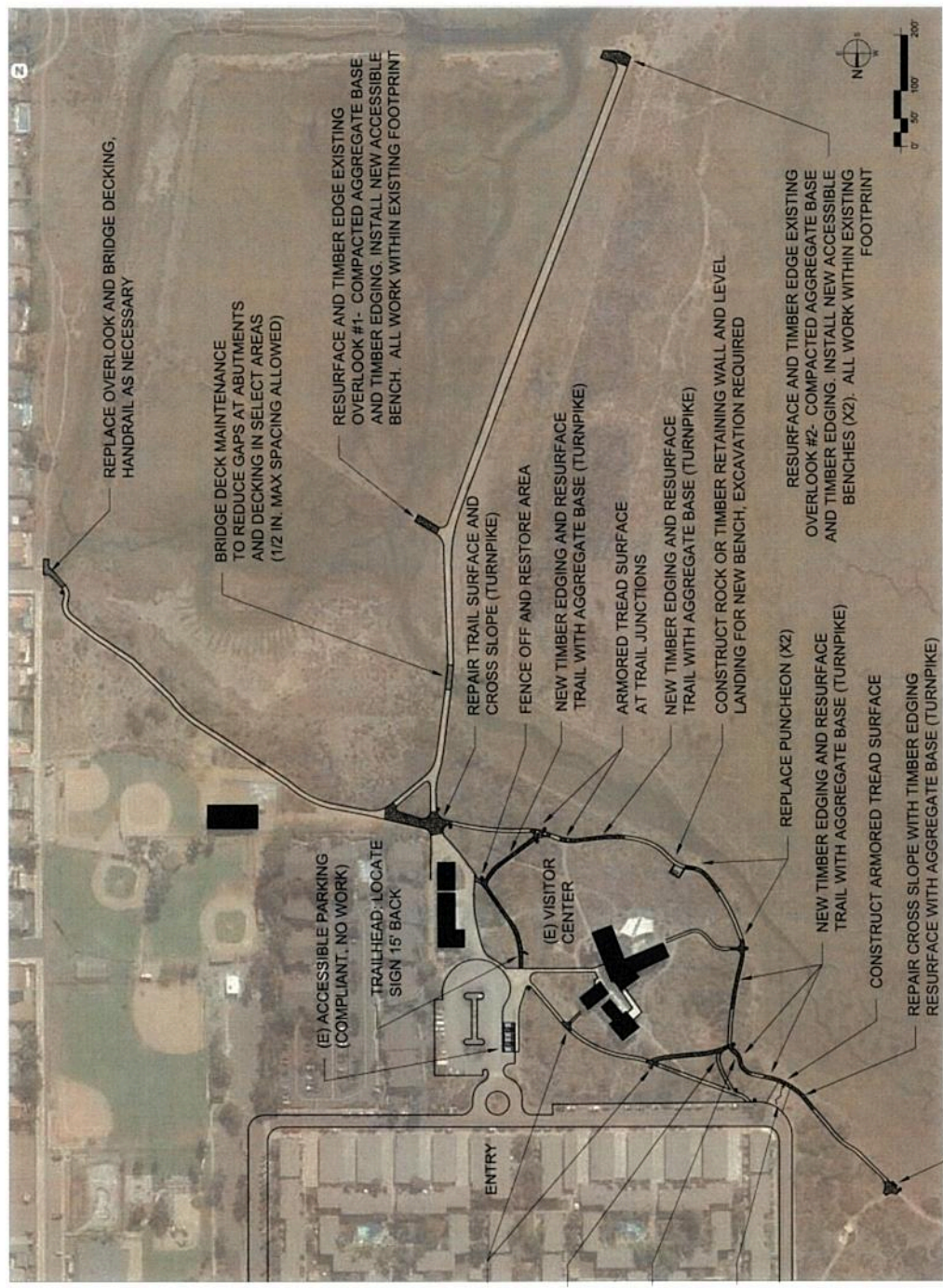
TIJANA ESTUARY/BOARDER FIELD STATE PARK
NORTH MCCOY TRAIL
ACCESSIBILITY IMPROVEMENTS
CONSTRUCTION PLAN

DRAWING NO
XXXXX XXX

SHEET NO
L-2

3 of 8

NOTES:
- ALL TRAIL SURFACE S WITHIN PROJECT LIMITS MAY REQUIRE RESHAPING FOR PROPER DRAINAGE
- INSTALL NEW DIRECTIONAL SIGNAGE AT ALL TRAIL SEGMENT JUNCTIONS



RELOCATE AND RESET 2 INTERP. PANELS ON LEVEL LANDING ALONG TRAIL
CONSTRUCT ARMORED TRAIL SURFACE

NORTH MCCOY TRAIL

- REPAIR CROSS SLOPE WITH TIMBER EDGING AND RESURFACE WITH AGGREGATE BASE
- CONSTRUCT RWD PUNcheon
- RECONSTRUCT TRAIL TO ACCESSIBLE GRADES. CURRENT CONDITION TOO STEEP
- RECONFIGURE MORTARED RIP-RAP TO CHANNEL WATER INTO (E) CULVERT



DRAWING NO.
XXXXXX XXXX

L-3
4 of 8



SOUTH McCOY TRAIL

Tijuana Estuary Visitor Center

Grove Ave

14th Ave

Galun St

Tower Rd

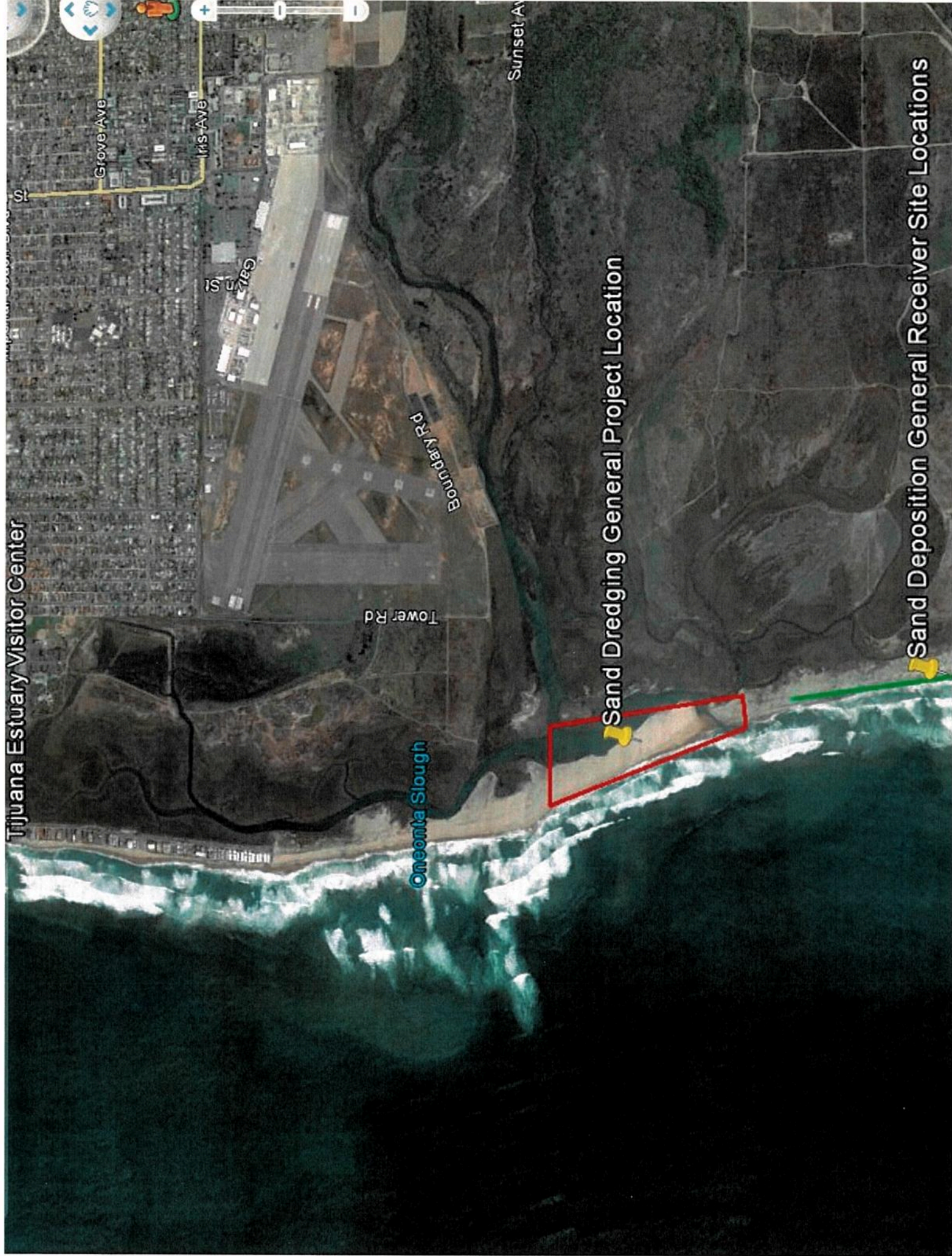
Oneonta Slough

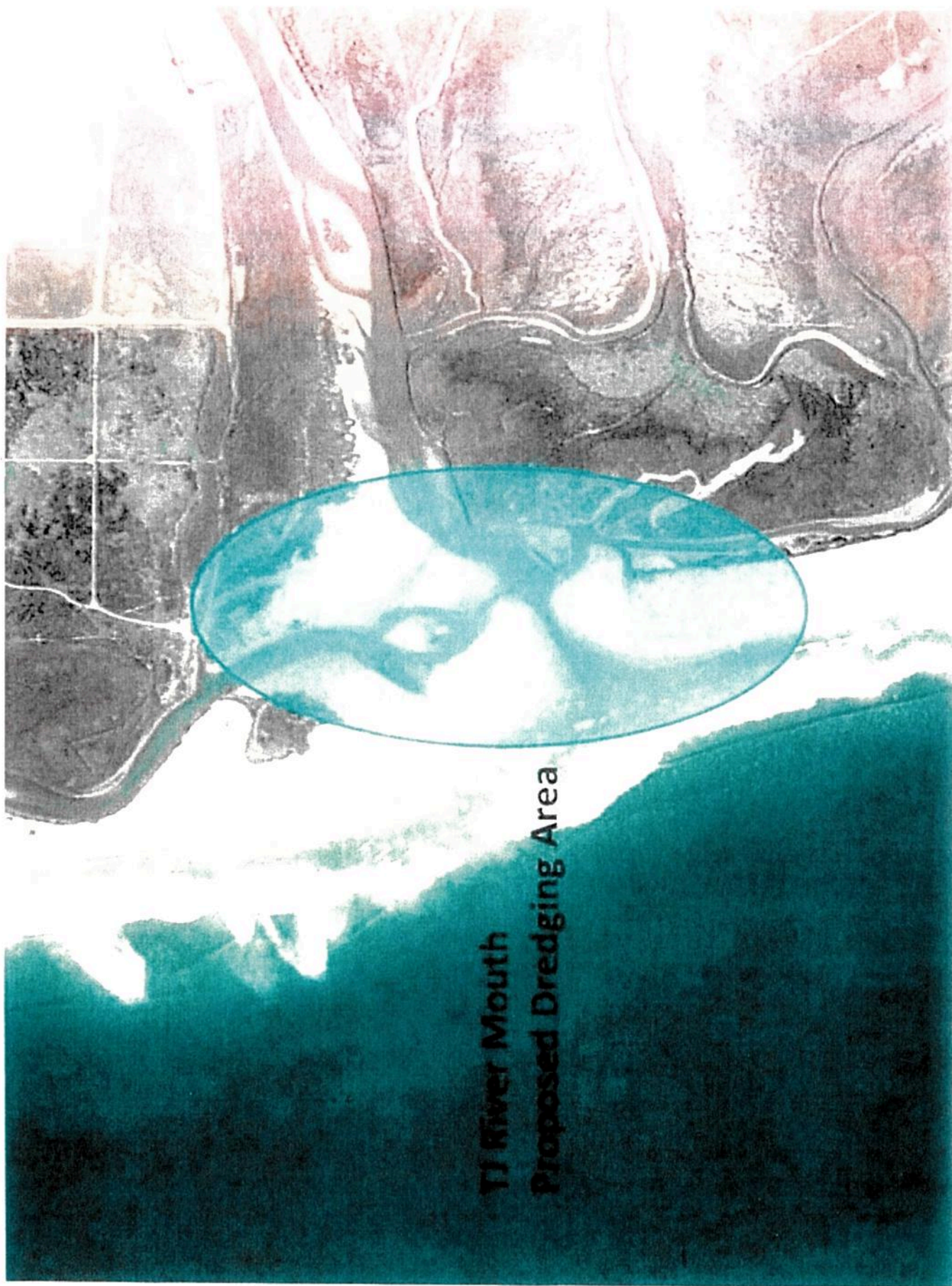
Boundary Rd

Sunset Ave

Sand Dredging General Project Location

Sand Deposition General Receiver Site Locations





**TJ River Mouth
Proposed Dredging Area**

Tijuana River Mouth - March 31, 2016

