



PUBLIC NOTICE

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

BUILDING STRONG®

**APPLICATION FOR PERMIT
Ventura Keys Maintenance Dredging**

Public Notice/Application No.: SPL-2007-00872-GLH

Project: Ventura Keys Maintenance Dredging

Comment Period: October 25, 2018 through November 25, 2018

Project Manager: Jerry Hidalgo; (805) 585-2145; Gerardo.L.Hidalgo@usace.army.mil

Applicant

Brad Starr
City of Ventura
P.O. Box 99
Ventura, California 93001

Contact

Richard Parsons
RWP Dredging Management
rwpdredging@hotmail.com

Location

Ventura Keys in the city and county of Ventura (approximate 34.25660°, -119.26492°).

Activity

The applicant proposes to renew their existing permit to maintenance dredge up to 350,000 cubic yards of material over a ten-year period, not to exceed 100,000 cubic yards of material per year, from the Ventura Keys. Maintenance dredging would occur on an as-needed basis. Deposition of the dredged material would occur in the surf zone at cell 1 of the Pierpont Groin Field, and in the surf zone or nearshore waters of the mouth of the Santa Clara River (see attached Plates). No changes are proposed from the previous authorization. For more information see Additional Project Information section below.

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: Jerry Hidalgo
60 South California Street, Suite 201
Ventura, California 93001-2598

Alternatively, comments can be sent electronically to: Gerardo.L.Hidalgo@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. 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 an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance. Waste Discharge Requirements (File 97-127; Order No. R4-2013-0142-A01) were renewed by the Los Angeles Regional Water Quality Control Board during their July 12, 2018 board meeting in lieu of a Section 401 Water Quality Certification.

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 applicant is currently undergoing review for renewal of their Coastal Development Permit for maintenance dredging of the Ventura Keys, as well as disposal activities as proposed herein. The District Engineer hereby requests the California Coastal Commission's concurrence or non-concurrence.

Essential Fish Habitat- In order to meet their obligations under the Magnusson-Stevens Fishery Conservation and Management Act, federal agencies must consult with the National Marine Fisheries Service (NMFS) to address the effects of their actions on designated Essential Fish Habitat (EFH). The proposed action is within designated EFH for two federal Fishery Management Plans (FMP): the Coastal Pelagics FMP and Pacific Groundfish FMP. Potential adverse effects to EFH that may result from the dredging activities of the proposed action include removal/burial of benthic communities, temporary increases in turbidity which in turn attenuates light transmission through the water column, increased bioavailability of contaminants, entrainment of organisms, noise disturbances, and alteration to hydrodynamic regimes and physical habitat. Potential adverse effects of dredged material disposal (both in the surf zone and within the inner harbor) include burial of benthic communities, effects to adjacent habitats, increased turbidity and increased bioavailability of contaminants. The potential spread of the invasive alga *Caulerpa toxifolia* is another potential area of concern as the removal and redeposition of material could inadvertently encourage the spread of this invasive species. To date *Caulerpa* has not been documented within Ventura Harbor and the applicant would be required to conduct pre-dredge surveys to verify presence/absence of *Caulerpa*. Disposal of material in the surf zone may also adversely affect spawning of California grunion (*Leuresthes tenuis*).

Prior consultation between the Corps and NMFS for the previous maintenance permit resulted in the implementation of numerous conservation recommendations proposed by NFMS to address the program's potential adverse effects to EFH described above. These measures have been incorporated into the proposed special conditions, listed below.

The Corps of Engineers' preliminary determination indicates the proposed activity may have temporary adverse effects on EFH and federally managed fishery species described in the Coastal Pelagic and Pacific Groundfish Fishery Management Plans. As a result, the Corps has determined consultation in accordance with the Magnuson-Stevens Fishery Conservation and Management Act with NMFS is required. Pursuant to the Magnusson-Stevens Fishery Conservation Act, the Corps

hereby requests NMFS consider this Public Notice our request to initiate abbreviated consultation for the proposed actions effects to EFH.

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 he is otherwise unaware of the presence of such resources. The Corps' Area of Potential Effect (APE) includes the areas within the Ventura Keys that would be subject to maintenance dredging as depicted on the attached figures (Plate 2-3). In addition, the Corps' APE includes designated disposal areas adjacent to the area covered by maintenance dredging activities (Plates 4-5). All areas within the Corps' APE have been subjected to routine dredging and disposal operations under existing authorizations, consequently there is little likelihood of the presence of previously unknown historic or cultural resources within these areas.

Endangered Species- There are three federally-listed threatened or endangered species that utilize Ventura Harbor or the surrounding area: California least tern (*Sterna antillarum browni*), western snowy plover (*Charadrius alexandrinus nivosus*), and steelhead trout (*Oncorhynchus mykiss*). The proposed disposal areas south of Ventura Harbor and extending to the Santa Clara River mouth (Plates 4-5) are within designated critical habitat for western snowy plover, and the Santa Clara River is within designated critical habitat for steelhead trout.

The Corps of Engineers' preliminary determination indicates that the proposed activity would not adversely affect the California least tern, western snowy plover, and Southern California steelhead. Informal consultation with the U.S. Fish and Wildlife Service and NMFS under Section 7 of the Endangered Species Act shall be initiated to obtain their concurrence.

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

Project description- The City of San Buenaventura is proposing to continue periodic maintenance dredging in the Ventura Keys. The dredging effort would occur on as-needed basis over a ten-year period. While approximately 350,000 cubic yards of material could be dredged over the ten-year period, the average volume per episode is not expected to exceed 50,000 cubic yards, and no more than 100,000 cubic yards of material is likely to be dredged in any one year.

The proposed project is required to maintain channel configurations, and to restore and assure safe navigability within the Keys waterways. The project would also provide material for beach replenishment. Deposition options include the surf zone at Cell 1 of the Pierpont Bay Groin Field (the first cell north of Marina Park) and the surf zone at the mouth of the Santa Clara River and/or the near shore waters at the mouth of the Santa Clara River. The dredging and deposition activities would not commence until after Labor Day in September of any year and would cease on or before March 15 of the following year so as to avoid impacts on grunion spawning, least tern and snowy plover nesting, and recreational use of the beach.

Connecting Channel

The Connecting Channel would be dredged to a depth of -15 feet MLLW plus a two-foot overdredge. Presently, this channel contains a volume of approximately 14,000 cubic yards of shoal material and is expected to require dredging two or three times over the ten-year period. Most of the work would be

accomplished by a private contractor using a 14" to 26" diesel-powered cutterhead hydraulic pipeline dredge operating on a 24-hour per day basis. Depending upon the size of the equipment utilized, the operation could require 10 to 30 days per dredging episode: It is also quite likely that the portion of the connecting channel in the vicinity of the mouth of the Arundell Barranca will require more frequent dredging attention and that a mechanical clamshell type operation (either floating or shore-based) could be utilized in that area on occasion.

Channels 1, 2, and 3

The three channels would be dredged to a depth of -12 feet MLLW plus a two-foot overdredge. These channels presently contain approximately 45,000 cubic yards of shoal material to be dredged. It is anticipated that the channels would require dredging one or two times over the ten-year maintenance period. The work would be accomplished by a private contractor using a 6" to 16" diesel powered cutterhead hydraulic pipeline dredge operating on a 24-hour per day basis. Depending upon the size of the equipment utilized, the operation could require 30 to 60 days per dredging episode.

Transportation of the Dredged Material to the Disposal Site

1. Surf zone deposition: If surf zone deposition is employed, the discharge pipe would extend through the harbor waters with a combination of floating and submerged pipe and along the beach seaward of the existing sand dunes to either Cell 1 of the Pierpont Groin Field or the mouth of the Santa Clara River.
2. Nearshore deposition: If nearshore deposition is employed, the dredged material would be barged to the area just south of the mouth of the Santa Clara River and deposited in waters no deeper than -30 MLLW. The material would then disperse very rapidly and move with the littoral transport system, becoming available for beach replenishment.

Deposition of the Dredged Material

1. Cell 1 Surf Zone Deposition: To replenish the beach in Cell 1 of the Pierpont Groin Field, dredged material from Channels 1, 2, and 3 would be deposited in the surf zone near the beach.
2. Santa Clara River Mouth Surf Zone Deposition: Dredged material from the Connecting Channel as well as Channels 1, 2, and 3 would be deposited in the surf zone at least 300 feet away from the mouth of the Santa Clara River.
3. Santa Clara River Nearshore Deposition: Dredged material from the Connecting Channel as well as Channels 1, 2, and 3 would be deposited in nearshore waters just south of the mouth of the Santa Clara River when the river is flowing at 100 cubic feet per second or greater to provide for the mixing of any turbidity caused by the dredged material with turbidity caused by the river discharge.

Character of the Dredged Materials

The character of the shoal material to be removed is described in a report entitled, "Sampling and Analysis - Ventura Keys Sediment Investigation, Ventura, California," Ref. No. 0048-290 dated April 20, 2016, prepared by Applied Environmental Technologies, Inc. (AET). Relative to the chemical composition of the material to be dredged AET concluded "...that the chemical concentrations measured in the Ventura Keys sediments are not environmentally significant and are comparable to the concentrations detected in offshore samples." Relative to the grain size distribution of the material

to be dredged AET concluded that the sediment in the connecting channel is consistent with the Santa Clara River and is not expected to affect the marine ecosystem significantly, and that the sediment from Ventura Keys Channels 1, 2, and 3 can be discharged either to cell 1 of the Pierpont Groin Field or near the river mouth without causing a long term alteration of the grain size distribution in either of these areas.

Additionally, AET analyzed the character of the shoal material in the Connecting Channel in reports dated July 1, 2002 (Ref. No. 0048- 290), August 19, 2005 (Ref. No. 0048-290); and January 7, 2013 (Ref. No. 0048-290) and their conclusions remained consistent with the above statements.

Additional sediment sampling and analysis of the Connecting Channel was performed late September 2018. Final results from the most recent sediment sampling are still pending. It is anticipated that the latest sediment sampling would remain consistent with past test results.

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). The basic project purpose for the proposed project is navigation, which 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 maintain adequate channel depths to support safe navigation within the Ventura Keys.

Additional Project Information

Baseline information- The Ventura Keys is a waterfront residential community adjacent to Ventura Harbor which encompasses an area of 32 acres and consists of three channels trending in a general north/south alignment (Channels 1, 2, 3) and a larger Connecting Channel to the south which ties the other three channels together and provides a link to Ventura Harbor. Existing depths range from -17 feet to -10 feet MLLW throughout the Keys.

Historically, in the 1970s and 1980s dredging operations placed dredged material on area beaches. In the early 1990s, dredged material was placed in an unlined upland disposal site with an active underdrain system to remove saltwater. Current dredging operations of the harbor and keys involve the disposal of material in the surf zone and nearshore areas at the mouth of the Santa Clara River and at the Pierpont Groin Field, as proposed in this permit renewal.

Besides the proposed maintenance dredging, two other maintenance dredging operations occur within the vicinity of Ventura Harbor. The Corps of Engineers dredges the Federal Channel and the sand traps at Ventura Harbor, usually on an annual basis. Material from this operation is deposited on area beaches north and south of the Santa Clara River. The Ventura Port District periodically conducts maintenance dredging within the inner portion of the Ventura Harbor. Material from this operation is deposited in the surf zone and nearshore waters at the mouth of the Santa Clara River.

The most recent maintenance dredging operation was completed on March 9, 2016; and involved the removal of a small shoal (1,427 cubic yards) at the mouth of the Arundell Barranca in the connecting channel with deposition in the surf zone to the north of the mouth of the Santa Clara River. In the 2005-06 time frame nearly 46,000 cubic yards of material was removed from the Connecting

Channel with deposition in the surf zone to the north of the mouth of the Santa Clara River. In the 1997-99 time frame, nearly 204,000 cubic yards of material was removed from all channel areas within the Keys with deposition in the surf zone at both the mouth of the river and in Cell 1 of the Pierpont Groin Field.

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: Pursuant to the 404(b)(1) Guidelines, avoidance in the context of the proposed action would require complete avoidance of any discharge of fill material within waters of the United States (i.e. no disposal of dredged material within designated beach/surf zone disposal areas nor within low spots within the Harbor). All dredged material would therefore need to be disposed of at an upland location and in a manner that does not allow return water to re-enter waters. As disposal of dredged material deemed suitable for beach nourishment is a component of the overall project purpose, complete avoidance is not considered practicable.

Minimization: As with the previous permit, several measures to minimize adverse effects on the aquatic environment would be incorporated into the permit. These are described below under “proposed special conditions.”

Compensation: Compensatory mitigation is not proposed at this time as there are no permanent losses of waters or impacts that would otherwise result in a permanent adverse impact to the aquatic environment. In the event eelgrass habitat is adversely affected as a result dredging and/or disposal operations (based on pre- and post-project surveys and monitoring), the applicant would be required to mitigate in accordance with the Southern California Eelgrass Mitigation Policy.

Proposed Special Conditions

The following list is comprised of proposed Permit Special Conditions, which were included in the previous maintenance dredging permit and other similar types of projects:

Section 10

- A. 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.
- B. 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.
- C. Prior to each maintenance dredging event, a pre-project eelgrass survey shall 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.

- D. 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 dredging. The results of that survey shall be furnished to the Corps, 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, in consultation with NOAA Fisheries and CDFG.
- E. 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.

Dredging Operations

- A. For this permit, the term dredging operations for a complete individual dredging project is defined as: navigation of the dredging vessel at the dredging site, excavation of the dredged material within the project boundaries using a hydraulic suction dredge, clamshell dredge, and/or hopper dredge.
- B. Dredging authorized under this permit shall not exceed 100,000 cubic yards of material per year within the Ventura Keys, as depicted on the attached drawings. No dredging is authorized in any other location by this permit. This permit does not authorize the placement or removal of buoys.
- C. For this permit, the maximum dredging design depth (also known as the project depth or grade) shall be -12 feet below mean lower low water (MLLW) for Channels 1, 2, and 3, with a maximum allowable overdredge depth of -2 feet below MLLW. No dredging shall occur deeper than -14 feet below MLLW (dredging design depth plus overdredge depth) or outside the project boundaries.
- D. For this permit, the maximum dredging design depth (also known as the project depth or grade) shall be -15 feet below mean lower low water (MLLW) for the Connecting Channel, with a maximum allowable overdredge depth of -2 feet below MLLW. No dredging shall occur deeper than -17 feet below MLLW (dredging design depth plus overdredge depth) or outside the project boundaries.
- E. 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 Corps, in consultation with the Environmental Protection Agency Region IX (EPA), to be both clean and suitable for beach nourishment. 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 Corps. Prior to each dredging episode, the permittee must demonstrate that the proposed dredged materials are chemically suitable for beach nourishment according to provisions of the Inland Testing Manual or Ocean Disposal Manual as appropriate. If the material does not meet the chemical criteria for beach replenishment, the dredged material shall be disposed in an upland disposal area. The permittee shall submit to the Corps and EPA a draft sampling and analysis plan (SAP) at the following addresses: Los Angeles District Regulatory Division, Ventura Field Office, Attn: Antal Szijj, 60 South California Street, Suite 201, Ventura, CA 93001; and U.S. EPA, Region IX, Attn: Allan Ota, Dredging and Sediment Management Team (WR-8), 75 Hawthorne St, San Francisco, CA 94105-3901. Sampling may not commence until the SAP is approved, in writing, by the Corps, in consultation with EPA. The SAP shall be prepared in accordance with the most current Corps Los Angeles District and EPA Region 9 Sampling Analysis Plan/Results Report Guidelines.

- F. For each individual dredging project, the permittee shall send a dredging and disposal operations plan to the Los Angeles District's Regulatory Division and U.S. EPA at the addresses previously listed at least fifteen (15) calendar days before initiation of any dredging operations authorized by this permit. The dredging and disposal operations plan shall include the following information:
1. 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.
 2. 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.
 3. The results of a detailed grain size and chemical analysis of all material to be dredged pursuant to an approved SAP.
 4. 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:
 - a. Dredging and disposal procedures for the volume of dredged material determined by the Corps and EPA Region IX to be unsuitable for beach replenishment.
 - b. Dredging and disposal procedures for the volume of dredged material determined by the Corps and EPA Region IX to be suitable for beach replenishment.
 - c. A vicinity map showing the exact location of the individual dredging project and the beach replenishment site. All maps shall be drawn to scale.
 - d. A schedule showing when the dredging project is planned to begin and end.
 5. A pre-dredging bathymetric condition survey (presented as a large format plan view drawing), taken at least thirty (30) days before the dredging begins, accurate to 0.5-foot

width the exact location of all surroundings clearly defined on the survey chart. The predredge survey chart shall be prepared showing the following information:

- a. The entire dredging area and near shore disposal site (when applicable), 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 pre-dredge 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.
 - b. The dredging design depth, over-dredge depth and side-slope ratio.
 - c. The quantity of the dredged material to be removed from the dredging areas and the side-slope areas.
 - d. Areas shallower than the dredging design depth shall be shaded green, areas between the dredging design depth and over-dredge depth shall be shaded yellow, and areas below over-dredge depth that will not be dredged shall be shaded blue. If these areas are not clearly shown, the Corps may request additional information.
 - e. The pre-dredging survey chart shall be signed by the permittee to certify that the data are accurate and that the survey was completed at least thirty (30) days before dredging begins.
6. 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.
- G. Dredging operations shall not commence until the dredging operations plans are approved in writing by the Los Angeles District and the permittee receives a Notice to Proceed from the Los Angeles District.
- H. 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 copy of each notification to the USCG shall be sent to the Corps' Los Angeles District Office for our file.

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 Captain of the Port (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:

- i) Project description including the type of operation (i.e. dredging, diving, construction, etc).
- ii) Location of operation, including Latitude / Longitude (NAD 83).
- iii) Work start and completion dates and the expected duration of operations. The Coast Guard needs to be notified if these dates change.
- iv) Vessels involved in the operation (name, size and type).
- v) VHF-FM radio frequencies monitored by vessels on scene.
- vi) Point of contact and 24 -hour phone number.
- vii) Potential hazards to navigation.
- viii) Chart number for the area of operation.
- ix) 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. Should any federal AtoN be affected by this project, the permittee shall contact the U.S. Coast Guard AtoN office at (510) 437-2982.

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.

E) The permittee shall contact the USCG Marine Safety Office and the Corps' Los Angeles District Office at least twenty-four (24) hours in advance of any anticipated dredging activity which may restrict navigation within any channel or endanger any bridge.

F) 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.

G) 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.

- I. The permittee shall have an inspector present on the dredging vessel at all times during dredging operations or in the alternative able to attest to the location of the dredging vessel at all times during the dredging operations. The inspector shall ensure that all permit conditions are obeyed during dredging operations. When the individual dredging project is completed, the inspector shall report on permit compliance and indicate whether any permit violations occurred. If any permit violations occurred, the inspector shall provide a complete written explanation of each violation.
- J. If a violation of any permit condition occurs, the violation shall be reported by the Permittee to the Corps Regulatory Division 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.
- K. 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.
- L. 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.
- M. 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 the post-dredging special condition below.
- N. The permittee shall maintain a copy of this permit on all vessels used for dredging, transportation, and disposal of dredged material authorized under this permit.
- O. 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.
- P. 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 Regulatory

Division 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.

Disposal Operations

- A. For this permit, the term disposal operations for a complete individual dredging project is defined as: the hydraulic pumping of dredged material from the dredging site and the placement of dredged material by pipeline at an approved disposal area and/or the transportation of dredged material from the dredging site to the near shore disposal site, proper disposal of the dredged material at the disposal site, and transportation of the hopper dredge or disposal barge or scow back to the dredging site.
- B. Disposal of material under this permit is authorized only at the locations approximated on the attached drawings.
- C. Disposal of material dredged from the Ventura Keys shall be conducted below the high tide line along 2,500 feet of beach at the mouth of the Santa Clara River with the actual discharge point being at least 300 feet away from the location at which the river flows into the ocean or in the 1,500 feet of near shore area just to the south of the mouth of the Santa Clara River when flow, measured in the vicinity of the Victoria Avenue bridge, is 100 cubic feet per second or greater.
- D. Disposal of material dredged from Channels 1, 2, and 3 which is composed of more than 65% coarse grained material (i.e., retained on a 200 sieve) may be conducted below the high tide line within Cell 1 of the Pierpont Groin Field.
- E. If a hopper or clamshell dredge is used the permittee shall dispose the dredged material in the designated near shore disposal area. The approximate location of the near shore area is indicated on the attached Plates. Prior to the disposal of any material in the near shore disposal area, the corners shall be surveyed by the permittee and approved by the Corps. The permittee shall be responsible for marking the corners of the disposal area with approved buoys and making periodic inspections of the buoy locations. The dredge material shall be deposited in such a way as to create a berm approximately parallel to the shoreline. The mound shall be located in the center of the disposal site, between -15 and -30 feet MLLW.
- F. The permittee shall use a short to medium range electronic positioning system (EPS) or global positioning system (GPS) throughout disposal operations at the near shore disposal site. The EPS or GPS must have a minimum accuracy and precision of +/-16.5 feet (5 meters). The permittee shall ensure that the EPS or GPS shall be activated at least 1,000 feet from the disposal site when traveling, and shall not be deactivated until at least 1,000 feet from the site on the return trip. The permittee shall plot the continuous course of each disposal trip once inside the designated site. The permittee shall use latitude and longitude or UTM coordinates for all plots. The plot shall show: the continuous course of the hopper dredge and/or disposal barge or scow and the time and position of the hopper dredge or disposal barge or scow when disposal commenced and ceased.
- G. Beach replenishment at all disposal areas shall not occur twenty-four (24) hours before the predicted start of the first grunion run after March 31 to September 1 of any given year, unless such discharge is approved in writing by the Corps after consultation with the U.S. Fish and Wildlife Service, NOAA Fisheries, and the California Department of Fish and Wildlife. If

disposal cannot be completed prior to the first predicted grunion run after March 31, a contingency plan shall be implemented as described below:

1. The zone of operations and impact shall not exceed 500 feet in width and shall be fixed for each dredging episode by the Corps in consultation with the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and NOAA Fisheries.
 2. Primary and alternate discharge pipes shall be located perpendicular to the shoreline and shall extend seaward beyond the mean-higher-high tide line.
 3. As the material deposited within the zone of operations accumulates, the discharge pipe shall be extended seaward. Lateral movement of the outfall shall only be permitted when seaward extension of the pipeline is no longer feasible; however, the discharge point may only be moved within the zone of operations and in such a location that dredged material remains within the 500 foot zone of operations.
 4. Slotted or perforated pipe shall be used in the final length of the discharge line to ensure maintenance of the sand mound upon which the line lays.
 5. During all predicted grunion runs a qualified grunion monitor shall inspect the discharge operation occurring under the contingency plan. If the monitor concludes that the operation is having an adverse impact on grunion spawning the Corps shall be advised as soon as possible and remedial measures implemented by the permittee at the Corps' direction. All grunion spawning monitoring reports, photographs, estimated adult grunion on the beach, and mapped locations shall be submitted by email to the Corps and California Department of Fish and Wildlife for review. Reasonable alternative disposal methods and/or remedial measures shall be evaluated by the Corps in consultation with the California Department of Fish and Wildlife. This may include but is not limited to:
 - a) Reducing the rate of sand discharge.
 - b) Temporarily halting operation until adverse impacts to adults and eggs can be avoided or minimized.
 - c) Relocating discharge pipes to reduce adverse impacts to grunion spawning and their eggs.
- H. The disposal pipeline shall not cross or disturb sand dunes.
- I. The permittee shall not remove the onshore pipeline if:
1. The onshore pipeline is in the vicinity of the California least tern (*Sterna antillarum browni*) or western snowy plover (*Charadrius alexandrinus nivosus*) nesting areas from April 15 to September 1; and
 2. The onshore pipeline is not set back more than 25 feet from the mean high water line 24 hours before the start of the first predicted grunion run of March 31 to September 1.
- J. A qualified specialist on western snowy plover shall be retained to monitor the installation and removal of the discharge pipeline for impacts to this species. The monitor shall be present beginning two weeks prior to construction, throughout the dredging operation, and for two weeks after the completion of dredging operations. A report on the monitoring shall be submitted to the Corps at the conclusion of these activities.

- K. The deposition of dredged material in the California least tern or western snowy plover nesting areas is prohibited.
- L. Disposal operations within designated critical habitat of the western snowy plover shall be limited to the period from October 15 to March 31 to avoid adverse effects to nesting western snowy plovers and California least terns. To further ensure that the operations will have no effect on plover, the permittee shall limit the number of vehicle trips across the river mouth and on the beach south of the estuary to installation, emergency maintenance, and pipeline removal activities. The permittee shall also limit beach re-contouring to the footprint of the pipeline and the immediately adjacent access corridor.
- M. The captain of the hopper dredge shall ensure compliance with all disposal operation general and special conditions defined in this permit. If the captain detects any violation, he or she shall report the violation to the permittee immediately. The permittee shall contact the Corps' Los Angeles District Office at (213) 452-3372 and EPA Region IX at (213) 244-1830 to report the violation within twenty-four (24) hours. The captain of the dredge covered by this permit shall monitor VHF-16 while conducting disposal operations.
- N. The temporary floating discharge pipeline shall have warning lights affixed to it. The pipeline shall be submerged where it crosses the main Ventura Harbor channel, and shall not interfere with navigation.

Post-Dredging Completion Report

- A. The permittee shall send one (1) copy of the post-dredging report to the Los Angeles District's Regulatory Division documenting compliance with all general and special conditions defined in this permit. The post-dredging report shall be sent within 30 days after completion of the dredging and disposal operations authorized in this permit. The report shall include the following information:
 - 1. Corps permit number.
 - 2. Actual start date and completion date of dredging and disposal operations.
 - 3. Total cubic yards disposed at each disposal site.
 - 4. Tug boat, hopper dredge, or other disposal vessel logs documenting contact with USCG before each trip to each disposal site.
 - 5. Copies of all Dredging Operations Compliance Forms and Disposal Operations Compliance Forms.
 - 6. Mode of dredging, transportation, and disposal, frequency of disposal and plots of all trips to the near shore disposal sites.
 - 7. Form of dredged material and percent sand, silt, and clay in the dredged material.
 - 8. 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.
 - 9. A detailed post-dredging condition survey (presented as a large format plan view drawing) showing areas shallower than the dredging design depth shaded green, areas between the dredging design depth and over-dredge depth shaded yellow, areas below over-dredging depth that were not dredged or areas that were deeper than the overdredge depth before the project began as indicated on the pre-dredging survey (Special Condition I.E.5) shaded blue, and areas dredged below the over-dredge depth or outside authorized boundaries shaded red. The methods used to prepare the post-dredging survey shall be the same as the methods used in the pre-dredging condition

survey. The survey shall be signed by the permittee certifying the data are accurate. The permittee shall send a copy of the post-project survey to the NOAA National Ocean 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.

10. The post-dredging report shall be signed by a duly authorized representative of the permittee. The permittee's representative shall make the following certification: 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.

Inspections

- A. The permittee and its contractors shall allow inspectors from the Corps, EPA Region IX, or the USCG to inspect all phases of the dredging and disposal operations.
- B. Upon request, the permittee and all contractors retained to perform work authorized by the permit or to monitor compliance with this permit shall make available to inspectors from the Corps, EPA Region IX, 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.

Beach Profiles

- A. The permittee shall submit for review by the Corps annual beach profile surveys for Cell 1 for the five-year period commencing the date the permit is issued. Two baselines for the profiles shall be at the two survey locations used in the past by the Ventura Port District for shoreline profile surveys between groins 1 and 2. The profile shall use five-foot intervals.

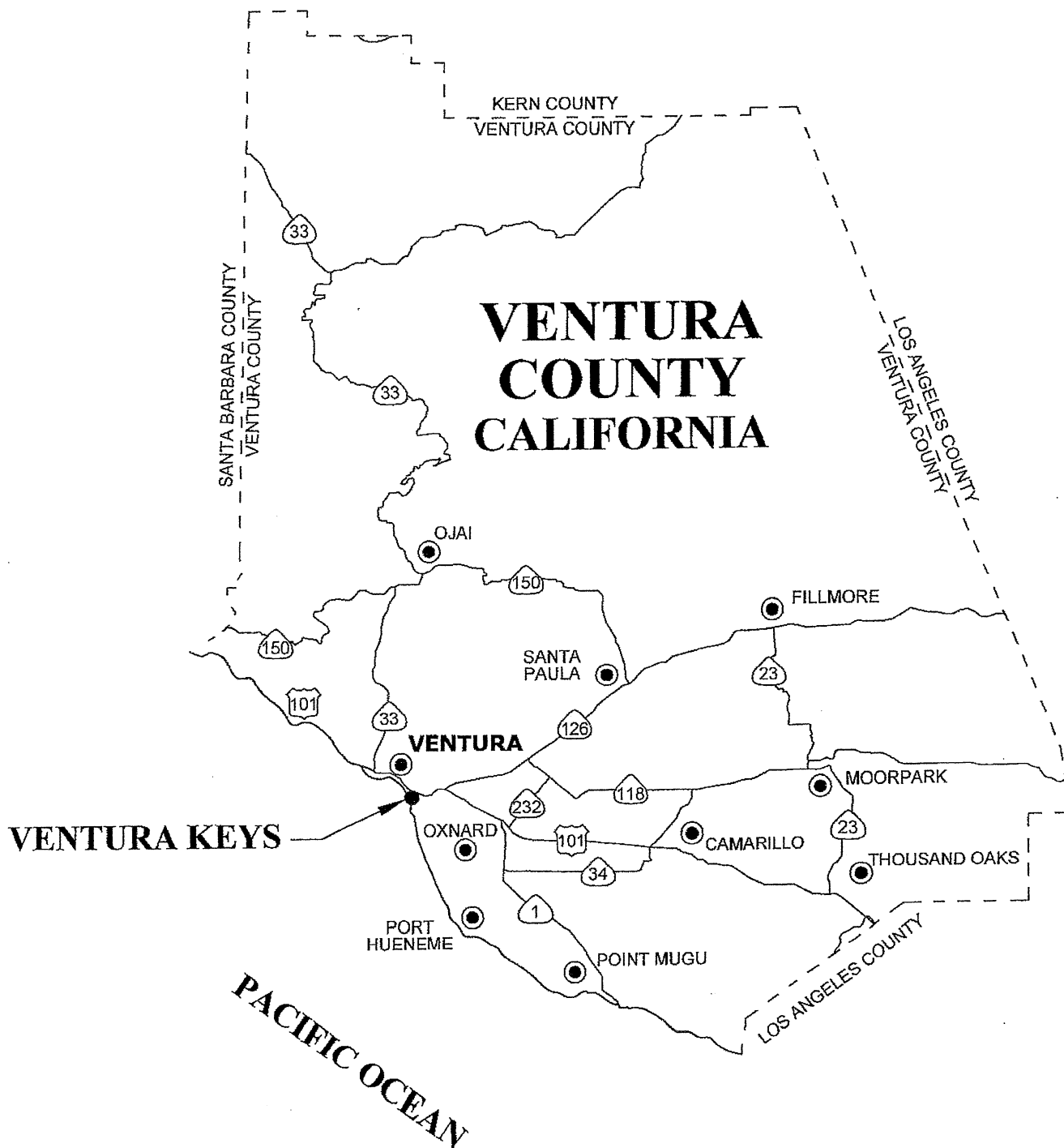
For additional information please call Jerry Hidalgo of my staff at (805) 585-2145 or via e-mail at Gerardo.L.Hidalgo@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.



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
60 South California Street, Suite 201
Ventura, California 93001-2598
WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY



NO SCALE

2



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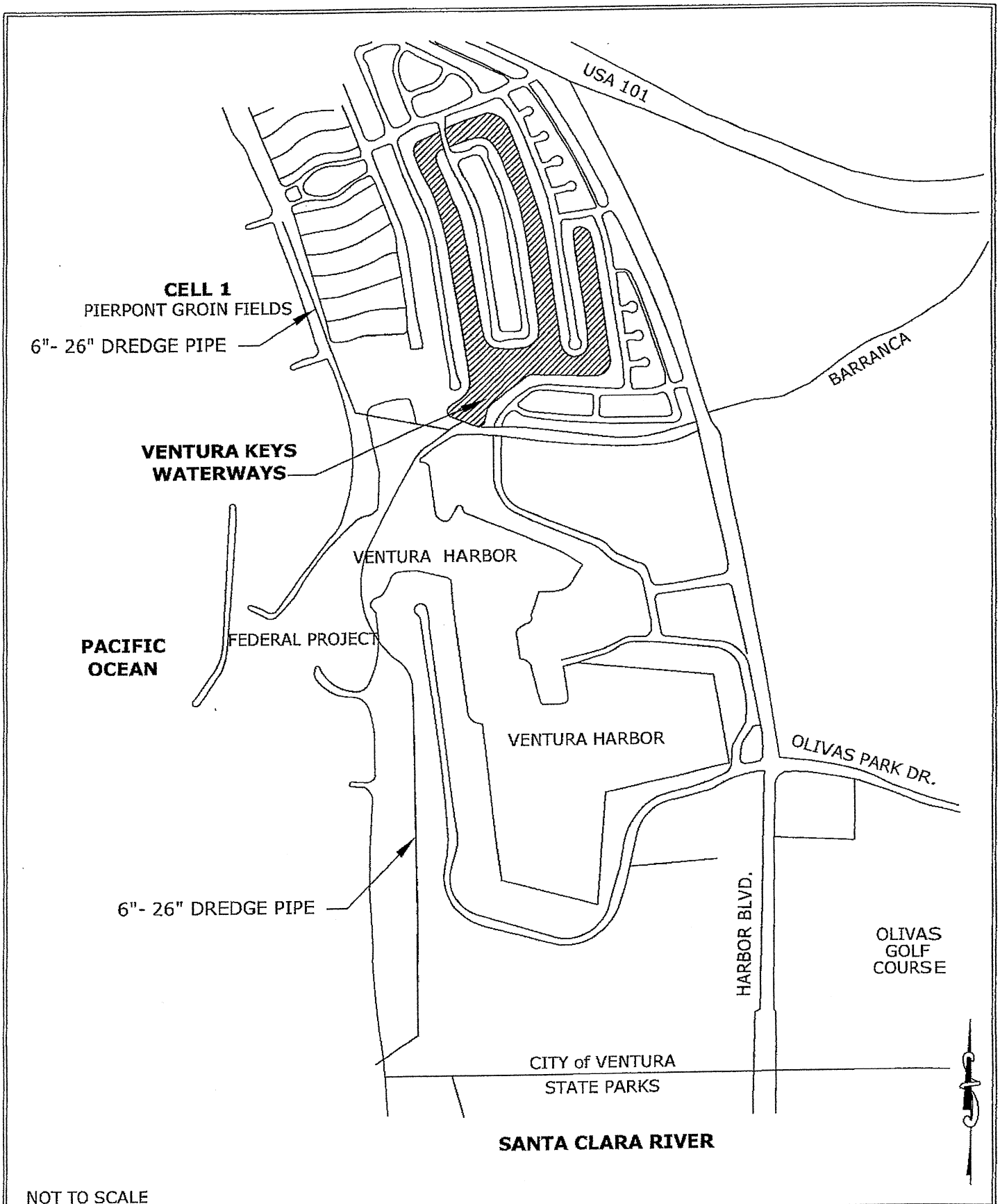
**SITE LOCATION PLAN
VENTURA KEYS
VENTURA, CALIFORNIA**

PLATE REFERENCE 0048-29_P1

JULY 23, 2018

PROJECT NUMBER 0048-29

**PLATE
1**



NOT TO SCALE



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**SITE LOCATION PLAN
VENTURA KEYS
VENTURA, CALIFORNIA**

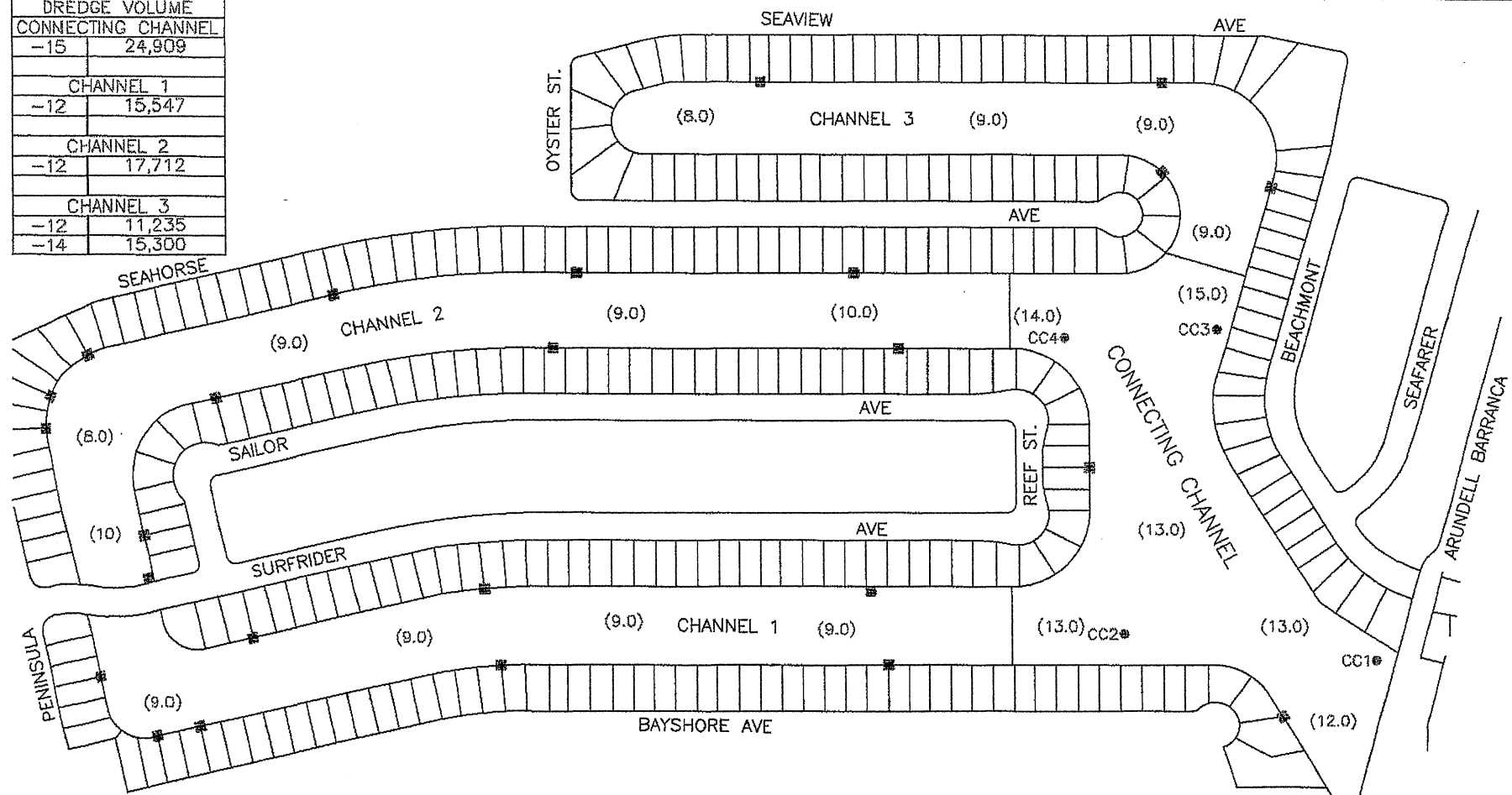
PLATE REFERENCE 0048-29_P2

JULY 23, 2018

PROJECT NUMBER 0048-29

**PLATE
2**

DREDGE VOLUME	
CONNECTING CHANNEL	
-15	24,909
CHANNEL 1	
-12	15,547
CHANNEL 2	
-12	17,712
CHANNEL 3	
-12	11,235
-14	15,300



LEGEND

● SEDIMENT SAMPLING LOCATION

CONDITION SURVEY DEPTHS APRIL
2018 IN FEET (MLLW)

■ STORM DRAIN LOCATIONS

0' 300' 600'

SCALE - 1" = 300' AT 8.5" x 11"



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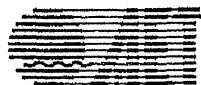
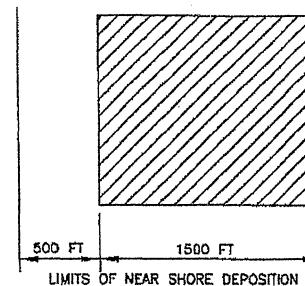
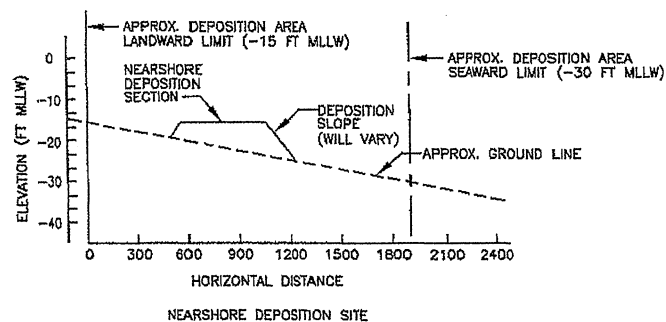
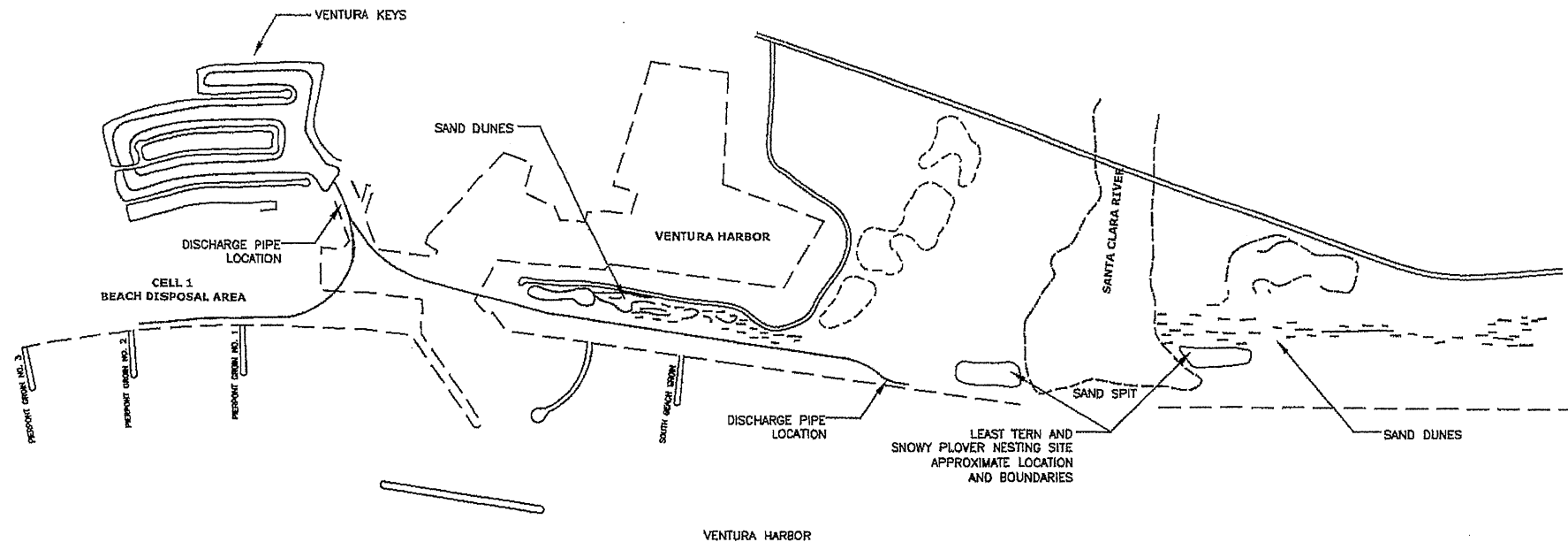
PROPOSED DREDGING AREA
VENTURA KEYS
VENTURA, CALIFORNIA

PLATE REFERENCE 0048-29_P3

JULY 23, 2018

PROJECT NUMBER 0048-29

**PLATE
3**



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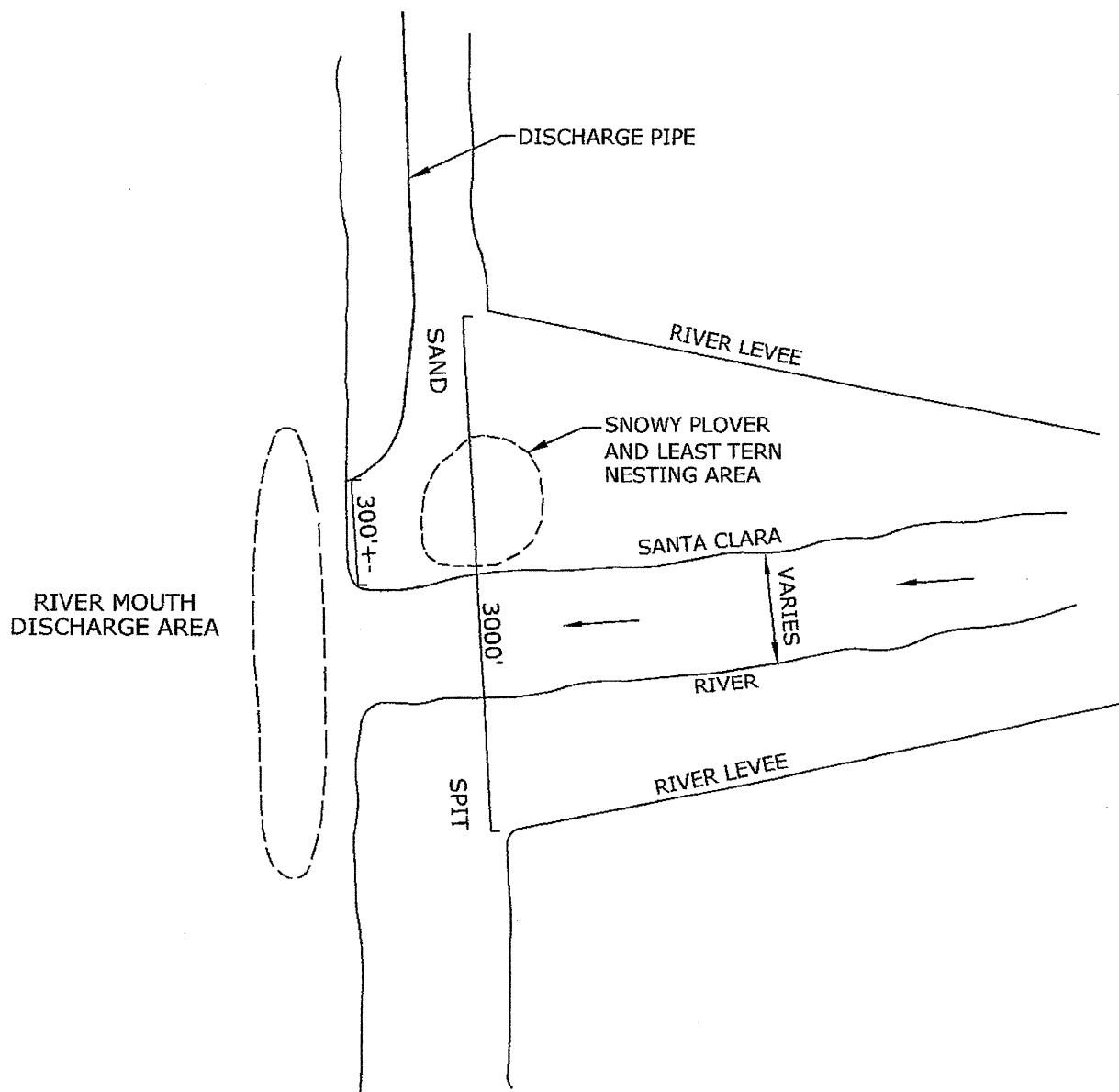
DEPOSITION SITES OF EXCAVATED MATERIAL VENTURA KEYS VENTURA, CALIFORNIA

PLATE REFERENCE 0048-29_P4

JULY 23, 2018

PROJECT NUMBER 0048-29

**PLATE
4**



NOT TO SCALE



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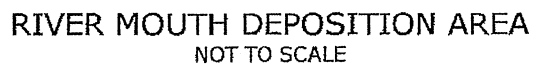
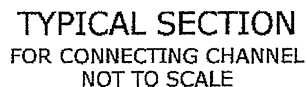
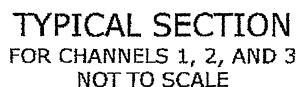
**RIVER MOUTH DEPOSITION AREA
VENTURA KEYS
VENTURA, CALIFORNIA**

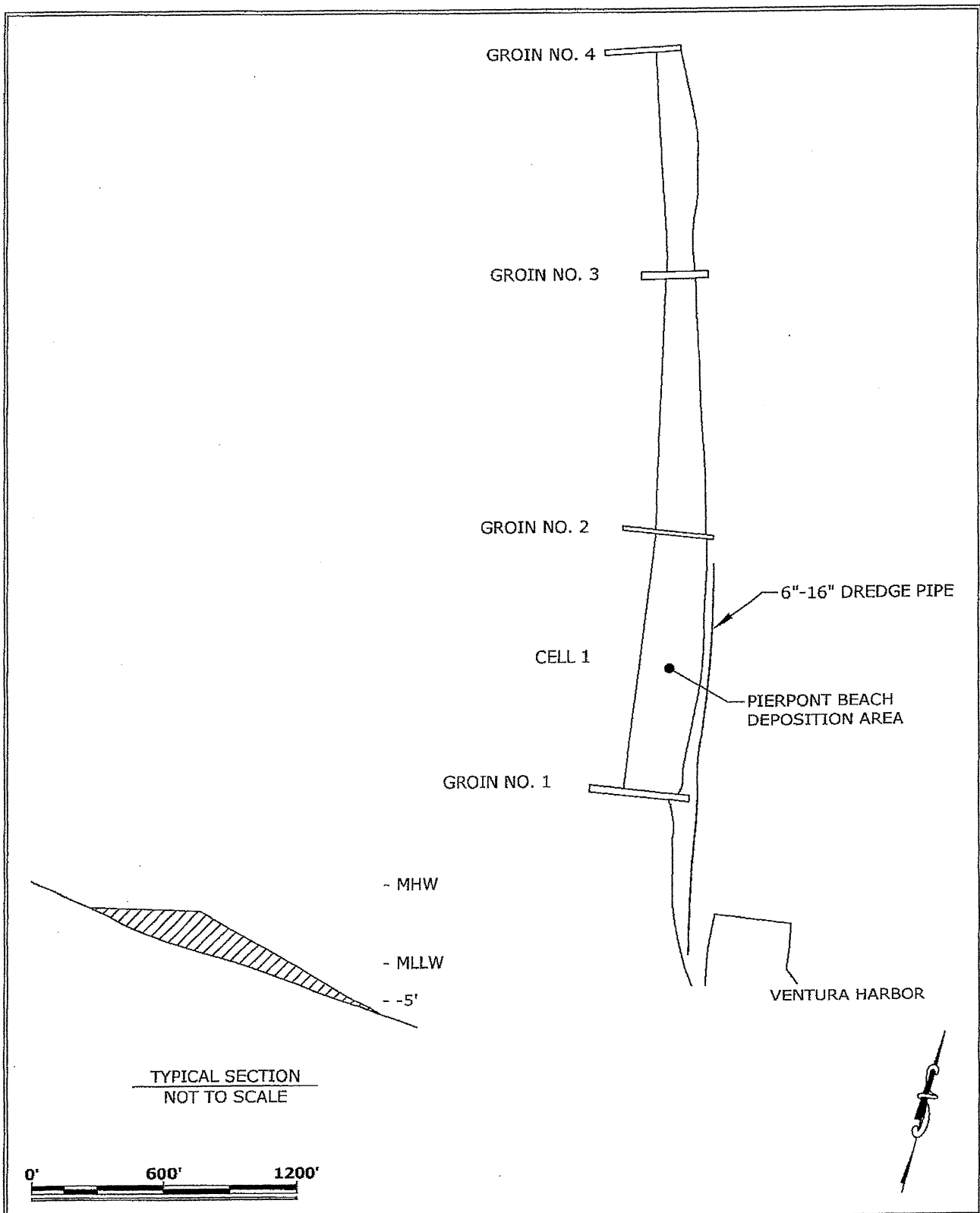
**PLATE
5**

PLATE REFERENCE 0048-29_P5

JULY 23, 2018

PROJECT NUMBER 0048-29





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**PIERPONT DEPOSITION AREA
VENTURA KEYS
VENTURA, CALIFORNIA**

PLATE REFERENCE 0048-29_P7

JULY 23, 2018

PROJECT NUMBER 0048-29

**PLATE
7**

