



# PUBLIC NOTICE

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

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## **APPLICATION FOR PERMIT**

Maintenance Dredging at Naval Amphibious Base Coronado  
Fuel Pier to Pier 14, Piers 16-19, Pier 21

**Public Notice/Application No.:** SPL-2015-00315-RRS

**Project:** Maintenance Dredging Project - Naval Amphibious Base from the Fuel Pier to Pier 14, Piers 16-19, Pier 21 in San Diego Bay

**Comment Period:** May 15, 2015 through June 16, 2015

**Project Manager:** Robert Smith; 760-602-4831; [Robert.R.Smith@usace.army.mil](mailto:Robert.R.Smith@usace.army.mil)

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### **Applicant**

C.E. Sund  
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San Diego, California 92135-7033

### **Contact**

Kari Coler  
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### **Location**

Per the attached drawings dredging and in-water disposal of dredged material from the Project would occur on the western side of San Diego Bay at and near the Naval Amphibious Base (NAB) at Fuel Pier to Pier 14, Piers 16-19, Pier 21 within the city of Coronado, CA (32.67734° N, -117.16176° W). Ocean disposal of suitable dredged material is proposed for the LA-5 ocean disposal site approximately 6-7 miles offshore of the mouth of San Diego Bay in the Pacific Ocean per the attached drawing.

### **Activity**

To perform maintenance dredging with in-water disposal to restore design depths at the Naval Amphibious Base at the NAB Fuel Pier to Pier 14 (-10 ft. plus 2 ft. over depth (OD); 9,810 cy), NAB Pier 21 (-12 ft. depth plus 2 ft. OD; 2,160 cy), and NAB Piers 16 and 19 (-12 ft. depth plus 2 ft. OD, 15,960 cy). Per the Corps and EPA suitability determination approved in September, 2014 per the Inland Testing Manual (ITM) and the Ocean Disposal Manual (SUAD), 18,185 cy of suitable dredged material would be barged in a scow to the LA-5 ocean disposal site. Approximately 2,860 cy of unsuitable dredged material would be disposed of at an approved upland location via a Confined Disposal Facility (CDF) at Piers O and P and then to a Soil Remediation Area on the eastern side of Naval Base Coronado and then truck hauled to an approved landfill. The remaining 6,885 cy of suitable dredged material may be beneficially reused at a nearshore location south of NAB within an in-bay footprint of habitat creation authorized under Department of Army (DA) permit No. 1998-2004900 (see attached drawings). For more information see page 3 of this notice.

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Interested parties are hereby notified an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). We invite you to review today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that supports the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision. This permit will be issued, issued with special conditions, or denied under Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act, and Section 103 of the Marine Protection, Research and Sanctuaries 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  
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Alternatively, comments can be sent electronically to: [Robert.R.Smith@usace.army.mil](mailto: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 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 or waiver by the Corps. 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. Section 401 requires any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

**Coastal Zone Management Act (CZMA)**- The applicant will provide certified CZM compliance that 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 Corps, per lead agency guidance, will require that the Navy as lead agency provide a CZMA federal consistency determination to the Corps.

**Essential Fish Habitat**- The project has been redesigned to avoid impacts to eelgrass. Approximately 0.8 acres of impact to eelgrass would occur within the project area. The Corps will require that the Navy provide evidence that EFH consultation or EFH compliance has been completed prior to a final Corps permit decision. Therefore, formal consultation under Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) between the Navy and the National Marine Fisheries Service may be required.

**Cultural Resources-** As federal lead agency, the Navy has determined that the proposed action will not affect any historic properties. Compliance with Section 106 of the National Historic Preservation Act (NHPA) and 36 CFR 800 has been previously accomplished for NBC under a Programmatic Agreement (NBC PA) dated 20 May 2014. The NBC PA provides for identification of potentially affected historical resources and assessment of "no historic properties affected" and "no adverse effect" without the further consultations with CA State Historic Preservation Office (SHPO) normally required under 36 CFR 800. Per Stipulation 8(A) of the Metro Area PA, NRSW Cultural Resources Management Program (CRMP) has reviewed the proposed action, and has determined that it meets the standard for "no historic properties affected". The Corps, per lead agency guidance, will require that the Navy as lead agency provide a NHPA determination for the Project to the Corps which will be reviewed and/or adopted by the Corps.

**Endangered Species Act (ESA)-** As federal lead agency, the Navy has determined that the proposed action may affect, but is not likely to adversely affect California least tern (*Sterna antillarum browni*). As the dredge footprint consists of most of the berthing areas around NAB, which is a designated California least tern (CLT) foraging area per the Navy/U.S. Fish and Wildlife Service (FWS) Memorandum of Understanding (MOU), dredging will not occur during CLT nesting season (1 April to 15 September). The Navy has informally consulted under section 7 of the Endangered Species Act (ESA) for the proposed action and documentation of this consultation is included in the Corps permit submittal. The Corps, per lead agency guidance, required that the Navy as lead agency provide evidence of ESA compliance to the Corps which has been provided (FWS-SDG-14B04101410580 dated September 18, 2014).

As federal lead agency, the Navy has determined that the proposed action may affect, but is not likely to adversely affect the Federally-listed as endangered green sea turtle (*Chelonia mydas*; GST). The proposed action would generate temporary and localized noise and turbidity within the immediate vicinity of the dredging locations. To avoid adverse effects to GST during dredging, the Navy will employ avoidance and minimization measures including visual scanning of the waters within areas of potential effect of the project. Monitoring would commence a minimum of 15 minutes prior to the activities. If a GST is seen within these visual ranges prior to or during the corresponding activity, the activity would not commence until the animal has moved out of the area or at least 15 minutes has passed since the last such sighting. The distances for visual monitoring, etc. would be determined in consultation with the regulatory agency, National Marine Fisheries Service. Monitoring, as described above, would occur prior to the start of in-water work each day, after each break of more than 30 minutes, and if any increase in the intensity of activities is required. The Navy, as the lead federal agency, will perform a section 7 consultation under ESA for the Project impacts to GST and provide documentation of consultation to the Corps upon completion.

**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 fills material into a special aquatic site (e.g.,

wetlands, pool and riffle complex, mudflats, coral reefs). Because fills of suitable material are proposed within special aquatic sites (eelgrass), identification of the basic project purpose is necessary. The basic project purpose for the proposed project is dredging for military navigational berthing. 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 adequately maintain (dredging and disposal of dredged material) naval vessel berthing capacity and berthing of military vessels at the Naval Amphibious Base in Coronado, CA.

### **Additional Project Information**

Baseline information- The existing NAB naval berthing areas are previously disturbed areas with sand substrate and eelgrass, and which currently support naval vessel activities. The existing structures at NAB include detachable floating structures. Due to the shallow operational depths, many of these structures will be removed, without bottom disturbance, to accommodate access and reduce the potential for structural damage during dredging. Detachable floating structures removed from their current location in order to facilitate dredging activity will be temporarily relocated to existing piers within the project dredging footprint or in areas where eelgrass is known to be absent.

All material suitable for unconfined aquatic disposal was investigated for beneficial re-use (i.e., beach nourishment), however grain size of the material was not compatible with the receiving site, due to the predominance of silt. The Navy's preferred location for beneficial re-use of suitable material is within the footprint of the existing habitat creation site, Homeport Island, which was approved under DA permit No. 1998-2004900, see attached figures. This site is located just south of NAB within the Navy's designated Restricted Area. Additional material placed within the Homeport Island footprint would expand shallow tidal and sub-tidal habitat and potentially expand the eelgrass bed currently encircling the island. An alternative discharge site for the beneficial re-use material is within Boat Lanes 8 and 9 located on the Pacific Ocean side of the Silver Strand. Beneficial re-use material at this site would supplement the sediment budget within the littoral cell along the Silver Strand.

Due to historical records documenting finds of munitions and explosives of concern (MEC) and material potentially presenting an explosive hazard (MPPEH) within the dredge footprint, the Navy has determined that there is a moderate potential of discovering MEC or MPPEH in the material to be dredged. The Navy will coordinate with Naval Ordnance Safety and Security Activity (NOSSA) and the Department of Defense Explosives Safety Board (DDESB) to develop a plan to safely dredge, handle, and dispose of the dredge materials, including any MEC or MPPEH found in the dredge materials. Through coordination with NOSSA and DDESB, the Navy, along with the Navy's dredge contractor, will develop avoidance and minimization measures and best management practices, including employing qualified technicians and explosive safety quantity distance arcs, to perform the proposed activities in a manner to protect the safety of the workers and the public.

Project description- The proposed action consists of maintenance dredging to restore berthing areas at NAB to previously approved design depths to the maximum extent practicable. Sampling and analysis of sediment to be dredged was coordinated with the Army Corps of Engineers (ACOE) and the Environmental Protection Agency (EPA) per the SUAD. Through the SUAD process the Navy determined that portions of the dredged material lacked sufficient compliance with the ITM and ODM and the Navy withdrew certain areas and did not test these areas and determined these unsuitable materials had to be sent to an approved upland landfill via the Offloading CDF at the Carrier wharf

and then to a soil remediation area for drying on the northern side of Naval Base Coronado (see attached drawings). Per coordination with ACOE and EPA, 18,185 cy can be discharge at LA-5, 2,860 cy to be dredged from Piers 4-9 and Piers 10-13 will be disposed of at an upland location via a CDF and soil remediation area, and approximately 6,885 cy may be beneficially re-used nearshore within the bay. The Navy is proposing to discharge the material suitable for beneficial re-use south of NAB within the footprint of in-bay habitat creation authorized under DA permit No.1998-2004900. The project description changed and the dredging footprint was reduced from the original project (Figures 8-1a through Figures 8-2a) evaluated during the SUAD process with the Corps and EPA in September 2014. After the Navy mapped the current amounts of eelgrass they reduced the dredging footprint to 0.8 acres of eelgrass impacts as shown in the figure named Final Dredging Areas.

Proposed Mitigation– The Navy has proposed to mitigate unavoidable impacts to eelgrass with credits from the Navy’s Eelgrass Mitigation Bank. 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:** Project impacts to eelgrass have been greatly reduced from an initial proposed impact of 3.29 acres to 0.8 acre (due to a reduced dredging footprint) to reduce the amount of mitigation bank credits that would be debited from the Navy’s approved eelgrass mitigation bank but still maintain operational depths. The fill of 4.0 acres within the bay will be a restorative fill for sub-tidal and eelgrass habitat establishment as a part of the Homeport Island. Detachable floating structures removed from their current location in order to facilitate dredging activity will be temporarily relocated to existing piers within the project dredging footprint or in areas where eelgrass is known not to be present, therefore avoiding impacts to any existing eelgrass which otherwise would not be impacted by dredging activity under this project.

**Minimization:** Spill kits and cleanup materials will be present during construction, should there be an accidental spill or release of debris, construction materials, etc. A debris boom will be installed during in-water construction. Any debris accidentally discharged into the water will be collected, transported to, and disposed of, at an appropriate upland disposal site, or recycled, if appropriate. During project implementation the Navy will regularly monitor activities and turbidity to ensure that no deviation from the proposed action is occurring. If turbidity is observed beyond the immediate vicinity if the project area, dredging will be adjusted to reduce the production of turbidity.

**Compensation:** For unavoidable impacts to eelgrass, the Navy will mitigate using credits from the Navy’s Eelgrass Mitigation Bank.

## **Special Conditions:**

No special conditions are proposed at this time; however the Corps anticipates standard special conditions related to navigation, dredging, water quality and aquatic species protection, and ocean dumping would be required.

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](mailto: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.

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