



PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

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APPLICATION FOR PERMIT Loma Alta Creek Mouth Maintenance Project

Public Notice/Application No.: SPL-2024-00935

Project: Loma Alta Creek Mouth Maintenance Project

Comment Period: October 22, 2025 through November 21, 2025

Project Manager: Austin Williams, (760) 602-4835, austin.l.williams@usace.army.mil

Applicant

Hamid Bahadori
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Contact

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Location

The Project is located within the City of Oceanside, San Diego County, California at 1500 South Pacific Street. The assessor's parcel number is APN 1530124900 and the Project's approximate center readings are latitude 33.1767 and longitude -117.3690.

Activity

To conduct routine maintenance excavation of up to 37 cubic yards of naturally accumulated cobble and sand from an approximately 0.05 acre area of Buccaneer Beach on an as-needed annual basis to allow unrestricted flows out of Loma Alta Creek slough. For more information see Additional Project Information section below.

Submittal of Public Comments

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.

Please do not mail hard copy documents, including comments to any Regulatory staff. Instead, your comments should be submitted electronically to:
austin.l.williams@usace.army.mil. Should you have any questions or concerns about the Corps' proposed action or our comment period, you may contact Austin Williams directly at (760) 602-4835.

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. The project received water quality certification from the San Diego Regional Water Quality Control Board on May 30, 2025.

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 District Engineer hereby requests the California Coastal Commission's concurrence or non-concurrence. An application for a Coastal Development Permit with the California Coastal Commission was submitted on October 7, 2024 and is in process.

Essential Fish Habitat- No Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act, occurs within the project area and no EFH is affected by the proposed project. The Corps of Engineers preliminary determination indicates the proposed activity would not adversely affect EFH. Therefore, formal consultation under Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) is not required at this time.

Cultural Resources- The latest version of the National Register of Historic Places has been consulted and this site is not listed. The Corps has determined the project area does not contain properties listed, or eligible for listing, on the National Register of Historic Places. Coordination with the California State Historic Preservation Officer (SHPO) is being conducted pursuant to Section 106 of the National Historic Preservation Act.

Endangered Species- Based on review of the U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPaC) database and coordination with the U.S. Fish and Wildlife Service, the Corps' preliminary determination is that the proposed activity would not affect federally listed endangered or threatened species or their designated critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

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). The basic project purpose for the proposed project is flood control. 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 increase creek outlet flows to prevent flooding of inland areas by lowering the berm crest elevation through routine maintenance of the cobble and sand berm that naturally forms and obstructs the flows out of Loma Alta Slough.

Additional Project Information

Baseline information- The project is located on the grounds of Buccaneer Beach, adjacent to the mouth of Loma Alta Creek, in the City of Oceanside, San Diego County, California. Loma Alta Creek outlets to the Pacific Ocean at Buccaneer Beach and runs through a combination of protected marshes, including Loma Alta Slough, and suburban development upstream before reaching Pacific Street. The project is bound by private residential development to the north and south, the Pacific Ocean to the west, and a concrete overpass bridge to the east that supports South Pacific Street and connects the inland portion of Loma Alta Creek to the Pacific Ocean (Figure 1, Project Location). The Loma Alta Creek mouth area includes existing shoreline stabilization and accessory structures including riprap revetments on either side of the creek, a concrete beach access ramp, an outfall pipeline connected to the ultraviolet (UV) Treatment System and a lifeguard tower supported by a concrete footing. The Buccaneer Cafe and a public park (Buccaneer Park) are located on the eastern side of Pacific Street directly across from Buccaneer Beach and just south of Loma Alta Creek. Public access to Buccaneer Beach is available from Pacific Street on the northern and southern ends of the bridge that crosses Loma Alta Creek.

Project description- The purpose of the project is to increase creek outlet flows to prevent flooding of inland areas by lowering the berm crest elevation through routine maintenance of the cobble and sand berm that naturally forms and obstructs the flows exiting Loma Alta Slough.

The applicant proposes to excavate, approximately 37 cubic yards of cobble and sand from an approximately 0.05 acre area below the ordinary high water mark of Loma Alta Creek at Buccaneer Beach to allow unrestricted flows out of Loma Alta Creek slough. The excavated material will be redistributed on site at Buccaneer Beach. No cobble or sand will be exported offsite. The estimated number of maintenance events is four to eight per year; however, the number will be dictated by longshore currents, storm frequency and magnitude, and beach material composition. Maintenance activities will take between 0.5 to two hours to complete per event.

The total size of the entire area for all Project activities within Corps jurisdiction is 0.05 acres. Construction consists of routine excavation of the sand and cobble berm conducted as needed throughout the year.

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 proposes the minimum footprint needed to excavate the sand and cobble berm so that flows can exit the Loma Alta Slough into the Pacific Ocean. No special aquatic sites, including wetlands, would be impacted by the proposed project. The project involves the routine excavation of a naturally accumulated sand and cobble berm. No permanent fill structures are proposed in waters of the United States as part of this project.

Minimization: Minimization measures during routine maintenance activities consist of Best Management Practices to address erosion, runoff, and pollutants. Cobble and sand excavated by the project will be relocated to another part of Buccaneer Beach. No new sand or cobble will be exported or imported as part of the maintenance activities. No project activity that entails sand disturbance seaward of the mean high-water line is anticipated for implementation of this project. Construction materials, debris, or waste will not be placed or stored in a manner where materials may be subject to erosion or dispersion by waves, wind, rain, or tides. Work will be performed during daylight hours to the maximum extent to reduce nighttime sound impacts to adjacent neighbors and wildlife. Work is completed with a rubber tire-equipped loader or backhoe to minimize impacts to Buccaneer Beach. All areas of Buccaneer Beach disturbed by the maintenance activities will be restored to pre-maintenance conditions.

Compensation: No compensatory mitigation is proposed because the project will not result in a permanent loss of waters of the United States. The impacts to aquatic resources resulting from implementation of the project will be offset by the benefits of keeping the mouth of Loma Alta Creek open and flowing to the Pacific Ocean, ensuring that water, nutrient, and matter (dissolved and particulate) exchange between Loma Alta Creek, the slough, and the Pacific Ocean is maintained at the land-sea interface.

Proposed Special Conditions

Special conditions would be added based on public notice comments and environmental considerations. Special conditions may include annual reporting requirements, seasonal work windows to avoid sensitive species, and notification to the Corps prior to each maintenance event.

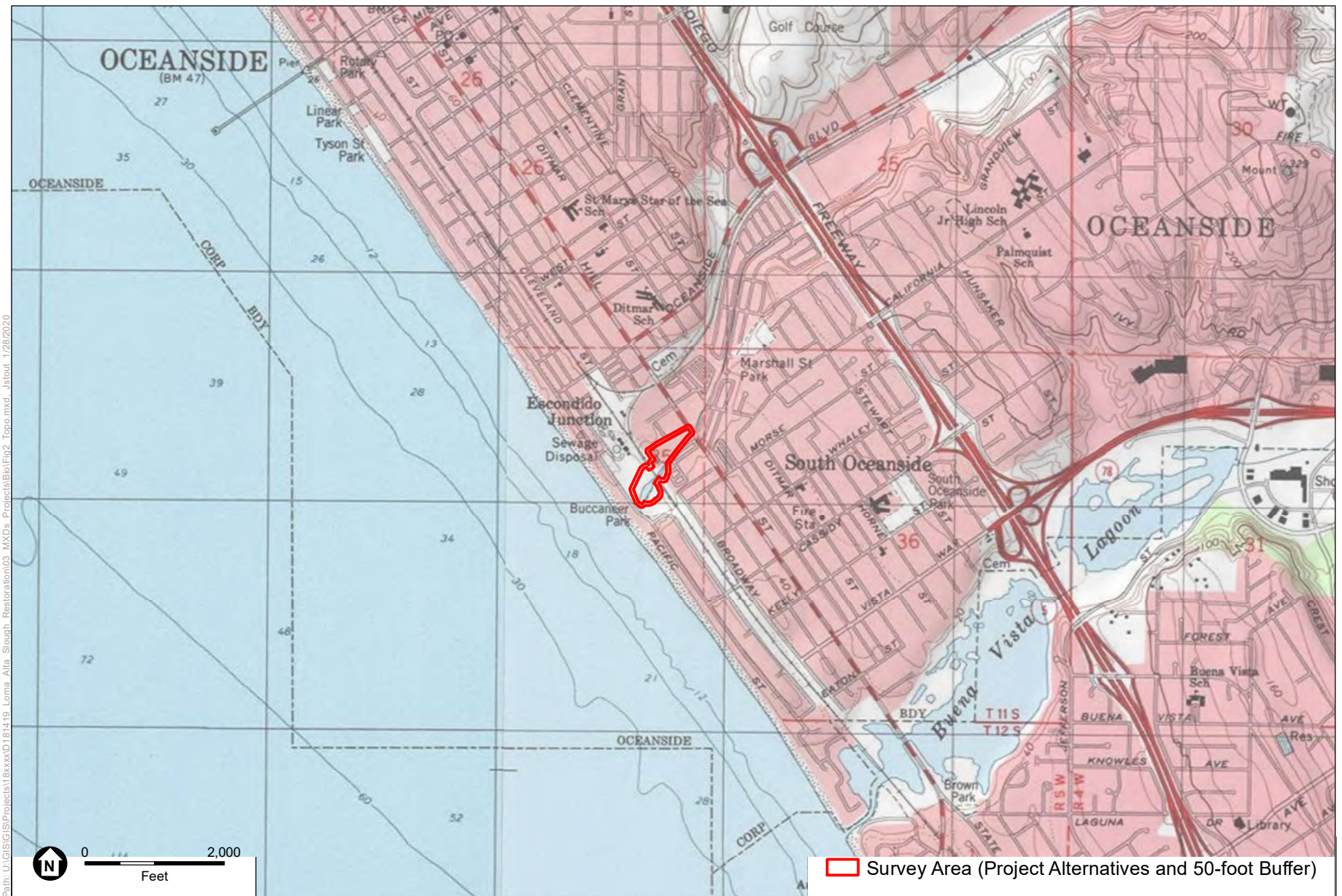
For additional information please call Austin Williams of my staff at (760) 602-4835 or via e-mail at austin.l.williams@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.



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
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USGS 7.5' Topo Quad San Luis Rey 1975, 1978; Oceanside 1975, 1978

Loma Alta Slough

Figure 2
Vicinity Map