

MINUTE ITEM

This Calendar Item No. C12
was approved as Minute Item
No. 12 by the State Lands
Commission by a vote of 3
0 at its 2/5/92
meeting.

CALENDAR ITEM

A 74

C 12

02/05/92

PRC 6986

S 38

DUGAL

MAINTENANCE DREDGING PERMIT

APPLICANT:

City of Oceanside
300 North Hill Street
Oceanside, California 92054

AREA, TYPE LAND AND LOCATION:

Dredging will involve ungranted sovereign lands and disposal
will involve granted, mineral reserved lands at Oceanside
Harbor, City of Oceanside, San Diego County.

LAND USE:

Dredge a maximum 500,000 cubic yards of minerals other than
oil, gas and geothermal biennially from the entrance channel
of Oceanside Harbor to maintain a navigable channel and
assure safe navigation.

The dredged material will be used to replenish a severely
eroded public beach located south of the Oceanside Public
Pier on lands granted to the City of Oceanside.

TERMS OF PROPOSED PERMIT:

Initial period:

Four (4) years, one (1) month, fifteen (15) days
beginning February 1, 1992.

Royalty:

No royalty shall be charged for spoils placed at the
approved disposal site maintained for public use and
benefit.

A royalty of \$0.25 per cubic yard will be charged for
spoils placed on private property or sold for
commercial benefit.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

CALENDAR ITEM NO. C 12 (CONT'D)

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

07/23/92

OTHER PERTINENT INFORMATION:

1. At its March 27, 1990 meeting (Minute Item No. 42), the Commission authorized the issuance of a one-year dredging permit to the City of Oceanside to dredge a maximum of 280,000 cubic yards of material for the purpose of maintaining a navigable depth.
2. The Corps has adopted a six-year maintenance dredging program at Oceanside Harbor. This proposed project is a component of the Corps of Engineers continuing program of regular maintenance dredging. The City has requested that the Commission consider issuing this dredging permit to coincide with the Corps permit.
3. An environmental assessment and subsequent Finding Of No Significant Impact (FONSI) SCH NO. 89040025, was prepared and adopted for this project by the United States Army, Corps of Engineers. The document was circulated for public review as broadly as State and local law may require and notice was given meeting the standards in 14 Cal. Code Regs. 15072(a). Therefore, pursuant to 14 Cal. Code Regs. 15225, the staff recommends the use of the federal FONSI in place of a Negative Declaration.
4. The environmental assessment included environmental commitments (Exhibit B). Section 6 states, in part: "Based on the information available to the Los Angeles District Corps of Engineers and recommendations of public agencies, the following environmental commitments are needed to minimize potential environmental impacts. These environmental commitments are incorporated into the project plans and the contract specifications."

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APPROVALS OBTAINED:

United States Army Corps of Engineers, California Coastal Commission, and the California Regional Water Quality Control Board.

FURTHER APPROVALS REQUIRED:

San Diego County Air Pollution Control Disturbance Permit.

EXHIBITS:

- A. Vicinity and Site Map
- B. Section 6, FONSI-Environmental Commitments
- C. FONSI

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE FINDING OF NO SIGNIFICANT IMPACT, SCH 89040025, WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE UNITED STATES ARMY CORPS OF ENGINEERS (EXHIBIT C) MEETS THE REQUIREMENTS OF THE CEQA, AND THEREFORE, PURSUANT TO 14 CAL. CODE REGS. 15225, ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF A NEGATIVE DECLARATION.
2. AUTHORIZE STAFF TO ISSUE TO THE CITY OF OCEANSIDE THE DREDGING PERMIT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION. SAID PERMIT SHALL AUTHORIZE DREDGING A MAXIMUM OF 500,000 CUBIC YARDS OF MATERIAL, BIENNIALY, FOR FOUR (4) YEARS, ONE (1) MONTH AND FIFTEEN (15) DAYS BEGINNING FEBRUARY 1, 1992, AT THE ENTRANCE OF OCEANSIDE HARBOR, SAN DIEGO COUNTY AND DISPOSAL AT THE DESIGNATED AND APPROVED PUBLIC BEACH SITE. NO ROYALTY SHALL BE CHARGED FOR DREDGED MATERIAL PLACED AT THE APPROVED DISPOSAL SITE AND USED FOR PUBLIC BENEFIT PURPOSES. A ROYALTY OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR DREDGED MATERIAL PLACED ON PRIVATE PROPERTY OR SOLD FOR COMMERCIAL BENEFIT. SUCH ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY ANY FEDERAL, STATE OR LOCAL GOVERNMENT AGENCY, SPECIFICALLY, BUT NOT LIMITED TO, THE ENVIRONMENTAL COMMITMENTS LISTED IN EXHIBIT B.

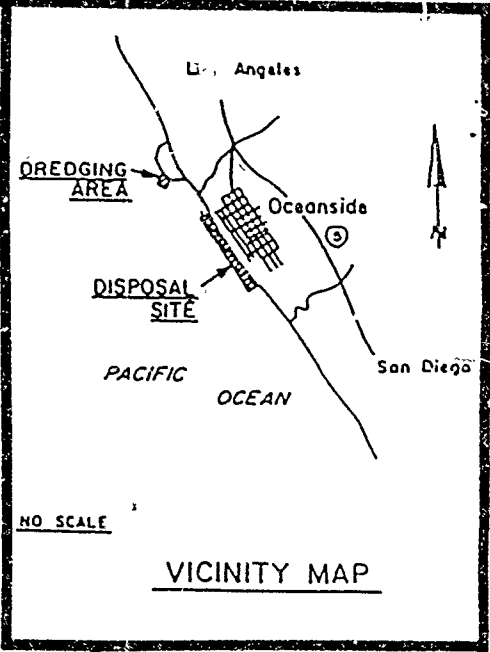
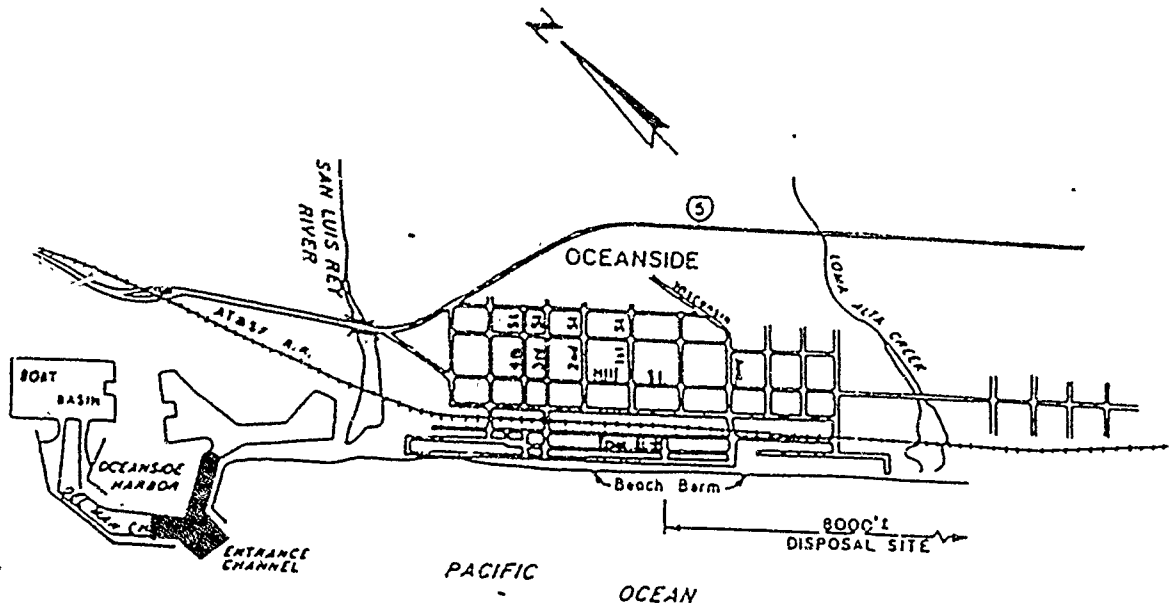


EXHIBIT "A"
 APPLICATION FOR
 DREDGING
 CITY OF OCEANSIDE
 (APPLICANT)
 W P 6986
 SAN DIEGO, COUNTY



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EXHIBIT "B"

SECTION 6 - ENVIRONMENTAL COMMITMENTS

Based on the information available to the Los Angeles District Corps of Engineers and recommendations of public agencies, the following environmental commitments are needed to minimize potential environmental impacts. These environmental commitments are incorporated into the project plans and the contract specifications.

- o If discharge of dredged material extends beyond March 15, diked beach disposal will be utilized if the beach otherwise has the physical characteristics required for successful grunion spawning. If diked disposal is not feasible, near-shore single-point discharge will be implemented.
- o Project features shall not interfere with tidal circulation and/or fresh water inflows into and through the mouth of San Luis Rey River.
- o On Oceanside Beach, the pipeline shall be placed as indicated in, and shown on, Corps project specifications.
- o The contractor shall provide access ramps over the discharge pipeline at 500-foot intervals on Oceanside Beach.
- o Conditions of the Regional Water Quality Control Board waste discharge requirements system permit shall be met.
- o The project's dredging contractor shall prepare reports on waste discharge requirements and monitoring of return water pursuant to the standards of the California Regional Water Quality Control Board (San Diego Region).
- o The contractor shall obtain a Permit to Operate from San Diego County APCD prior to commencement of work.
- o Fuel consumption and emissions will comply with the APCD Permit to Operate.
- o All dredge disposal activities will occur south of the Oceanside Public Pier, starting at Third Street and extending for a distance of no more than 5,000 ft.
- o Contractor shall observe all environmental protection specifications, including but not limited to Federal and local water, air, and noise quality standards. These environmental specifications are included in Corps specifications to the contractor.

- o Operators of dredge or other heavy equipment shall not harass any marine mammals or waterfowl in the project area.
- o If dredging continues beyond March 15, a dredge-related, surface water turbidity monitoring program will be conducted by the Corps concurrently with the proposed dredge operations. This program has been designed to identify significant increases in surface turbidity directly related to dredge operations within the harbor. If significant increases in turbidity occur, corrective actions will be immediately implemented, and such actions will be fully coordinated with the U.S. Fish and Wildlife Service and other appropriate agencies. These actions may include limiting the timing of dredging to ebb tide cycles so that turbidity is drawn out of the harbor complex by tidal flushing, or even the complete shutdown of dredging operations should no reasonable alternative be identified that would reduce turbidity to levels of insignificance.

EXHIBIT "C"

DEPARTMENT OF THE ARMY

LOS ANGELES DISTRICT, CORPS OF ENGINEERS

FINDING OF NO SIGNIFICANT IMPACT

OCEANSIDE HARBOR MAINTENANCE DREDGING

SIX-YEAR PROGRAM

I have reviewed the attached Environmental Assessment prepared for the proposed maintenance dredging of Oceanside Harbor, San Diego County, California. This six-year assessment would allow biennial dredging in the fall and winter months (September 1-March 15), beginning in the fall of 1989-90, and contains a contingency plan, allowing for dredging after March 15 if conditions preclude cessation of dredging activities by March 15. However, this year due to funding and other constraints project operation will occur approximately between March 15, 1990 and July 31, 1990. The proposed project includes the biennial dredging of a maximum of 500,000 cubic yards of littoral drift material from the entrance and navigation channels in order to maintain channel configurations, assure continued safe navigability within the harbor, and provide materials for beach replenishment.

Dredged material will be discharged on Oceanside Beach, south of the Oceanside Public Pier. The length of the disposal area is approximately 3,400 feet, beginning below Tyson Street. The disposal site is severely eroded, and the dredged material will replenish sand eroded by littoral transport. In the event that conditions prevent completion of dredging by March 15 of any cycle, diked disposal will be used to minimize impacts to the California grunion. If dredging is not terminated by March 15, the Corps will also conduct a surface-water turbidity monitoring program to assure that the disposal action does not affect least-tern foraging.

A Negative Determination has been submitted to the California Coastal Commission (CCC) for the first dredging cycle only; a Coastal Consistency Determination (CCD) for the six-year dredging period, including supplemental information on other Corps existing or proposed projects at Oceanside Harbor, is included in the EA. The CCD and additional data has been submitted to the CCC for concurrence with Corps determination that the project is consistent with the California Coastal Act to the maximum extent practicable.

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Significant resources potentially affected by the proposed project include marine and land biological and recreational resources and water quality. These impacts will be minimized due to environmental special conditions outlined in Section 6 of the Environmental Assessment. I have considered the available information contained in the assessment, and it is my determination that the impacts resulting from the proposed project will not have a significant effect on the existing environment or the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

24 Feb 90

Date

Charles S. Thomas

Charles S. Thomas
Colonel, Corps of Engineers
District Engineer

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