DRAFT
INITIAL STUDY
MITIGATED NEGATIVE DECLARATION

U.S. ARMY CORPS REGIONAL GENERAL PERMIT 67
OPPORTUNISTIC BEACH NOURISHMENT
SOUTHERN CALIFORNIA

October 2005

Lead Agency

State of California
State Water Resources Control Board
Division of Water Quality-Surface Water Regulatory Branch
CalEPA Office Building, 1001 I Street
Sacramento, California 95814

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MITIGATED NEGATIVE DECLARATION

PROJECT: General Permit 67 for Opportunistic Beach Nourishment in Southern California by U.S. Army Corps of Engineers, Regulatory Branch, Los Angeles District

LEAD AGENCY: State Water Resources Control Board (State Water Board)

AVAILABILITY OF DOCUMENTS: The Initial Study (IS) for this Mitigated Negative Declaration (MND) is available for review at:

- State Water Resources Control Board
  CalEPA Office Building, Visitor's Center
  1001 I Street
  Sacramento, CA 95814-2828
  Contact: Bill Orme (916) 341-5464

- Central Coast Regional Water Quality Control Board
  895 Aerovista Place, Suite 101
  San Luis Obispo, CA 93401

- Los Angeles Regional Water Quality Control Board
  320 West 4th Street, Suite 200
  Los Angeles, CA 90013-2343

- Santa Ana Regional Water Quality Control Board
  3737 Main Street, Suite 500
  Riverside, CA 92501-3339

- San Diego Regional Water Quality Control Board
  9174 Sky Park Court, Suite 100
  San Diego, CA 92123-4340

- State Water Resources Control Board website
  http://www.waterboards.ca.gov/cwa401/index.html#multi

PROJECT DESCRIPTION:

The Regulatory Branch of the Army Corps of Engineers (Corps), Los Angeles District (LAD) proposes to streamline the Regulatory procedures in place for permitting beach nourishment activities (i.e., discharging fill material to eroding beaches) subject to the Corps' authority under Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. LAD proposes to establish a Regional General Permit (RGP) whereby projects meeting Special Conditions may proceed under a project specific LAD Notice to Proceed. All other projects, or those receiving significant comments from public agencies, would require a Standard Individual Permit.

This MND evaluates the potential environmental impacts associated with the LAD proposal pursuant to a state Water Quality Certification (certification) action by the State Water Board. Section 401 of the CWA requires that any activity requiring a federal permit or license, which may result in a discharge of pollutants into waters of the United States, requires certification by the Regional Water Quality Control Board (Regional Water Board) in the project area. The State Water Board is the certifying agency for projects that apply to more than one Regional Water Board area, such as the proposed RGP 67 described herein.

Pursuant to Section 21082.1 of the California Environmental Quality Act, the State Water Board has independently reviewed and analyzed the IS/MND for the proposed project and finds that these documents reflect the independent judgment of the State Water Board. As lead agency, the State Water Board also confirms that the mitigation measures detailed in this document are feasible and will be implemented as stated in this MND.

_____ _____

Stan Martinson, Division Chief Date
Division of Water Quality

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CHAPTER 1
Introduction

1.1 INTRODUCTION AND REGULATORY GUIDANCE

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared by the State Water Resources Control Board (State Water Board) to evaluate the potential environmental effects of the proposed Regional General Permit (RGP) by the U.S. Army Corps of Engineers (Corps), Los Angeles District (LAD) pursuant to a water certification action. This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 *et seq*., and the State CEQA Guidelines, California Code of Regulations (CCR) §15000 *et seq*.

An IS is conducted by a lead agency to determine if a project may have a significant effect on the environment [CEQA Guidelines §15063(a)]. If there is substantial evidence that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) must be prepared, in accordance with CEQA Guidelines §15064(a). However, if the lead agency determines that revisions in the project plans or proposals made by or agreed to by the applicant mitigate the potentially significant effects to a less-than-significant level, a Mitigated Negative Declaration may be prepared instead of an EIR [CEQA Guidelines §15070(b)]. The lead agency prepares a written statement describing the reasons a proposed project would not have a significant effect on the environment and, therefore, why an EIR need not be prepared. This IS/MND conforms to the content requirements under CEQA Guidelines §15071.
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1.2 LEAD AGENCY

The lead agency is the public agency with primary approval authority over the proposed project. In accordance with CEQA Guidelines §15051(b)(1), "the lead agency will normally be an agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." The lead agency for the proposed project is the State Water Board. The contact person for the lead agency is:

Bill Orme, Environmental Scientist
Water Quality Certification and Wetlands Unit
Division of Water Quality, State Water Board
1001 I Street, 15th Floor, #55C
Sacramento, CA 95814

Questions or comments regarding this IS/MND should be submitted to Bill Orme at the above address.

1.3 PURPOSE AND DOCUMENT ORGANIZATION

The purpose of this document is to evaluate the potential environmental effects of discharges authorized by the proposed LAD RGP, which are subject to a water certification action by the State Water Board.

This document is organized as follows:

- Chapter 1 - Introduction.
  This chapter provides an introduction to the project and describes the purpose and organization of this document.

- Chapter 2 - Project Description.
  This chapter describes the reasons for the project, scope of the project, and project objectives.

- Chapter 3 – Initial Study Checklist.
  This chapter presents the Environmental Checklist (Initial Study) of environmental effects, identifies, and evaluates the significance of potential environmental impacts. Mitigation measures are incorporated, where appropriate, to reduce potentially significant impacts to a less-than-significant level.

- Chapter 4 - Mandatory Findings of Significance
  This chapter identifies and summarizes the overall significance of any potential impacts to natural and cultural resources, cumulative impacts, and impact to humans, as identified in the IS.

- Chapter 5 –Summary of RGP Mitigation Measures
  This chapter summarizes the mitigation measures incorporated into the project as a result of the Initial Study.

- Chapter 6- References.
  This chapter identifies the references and sources used in the preparation of this IS/MND. It also provides a list of those involved in the preparation of this document.

1.4 SUMMARY OF FINDINGS

Chapter 3 of this document contains the Environmental Checklist (Initial Study) that identifies the potential environmental impacts (by environmental issue) and a brief discussion of each impact resulting from implementation of the proposed project. Based on the IS and supporting environmental analysis provided in this document, the proposed LAD RGP 67, as limited by the State Water Board's proposed certification conditions, would result in less-than-significant impacts for the following issues: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems.

In accordance with §15064(f)(2) of the CEQA Guidelines, a MND shall be prepared if the proposed project will not have a significant effect on the environment after the inclusion of mitigation measures in the project. Based on the available project information and the environmental analysis presented in this document, there is no substantial evidence that, after the incorporation of mitigation measures, the proposed project would have a significant effect on the environment. It is proposed that a MND be adopted in accordance with the CEQA Guidelines.

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CHAPTER 2
Project Description

2.1 INTRODUCTION

The Corps' Regulatory Branch, LAD proposes to streamline the Regulatory procedures in place for permitting of beach nourishment activities (i.e., discharging fill material to eroding beaches) subject to the Corps' authority under Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act within the LAD. Beach nourishment projects help address the problems of sediment deficits and coastal erosion on local beaches in the area. In addition, these projects provide an opportunity for the beneficial reuse of dredged material in accordance with State policies and the Corps' program for Regional Sediment Management (RSM).

2.2 PROJECT LOCATION

RGP 67 includes beach nourishment activities involving discharges of dredged or upland source material on the coastline within the Corps' LAD. This jurisdiction includes the coastal area extending from Morro Bay south to the border with Mexico.

For a map of the LAD boundaries, visit the website:
http://www.spl.usace.army.mil/regulatory/lad.jpgThe

2.3 BACKGROUND AND NEED FOR THE PROJECT

Beach nourishment activities derive material from dredge projects and from upland sources. LAD seeks to streamline the regulatory framework and standardize Special Conditions (Conditions) across LAD, thereby protecting aquatic resources and simultaneously decreasing the processing time for projects meeting the requirements for authorized projects. LAD proposes to establish a RGP whereby projects meeting the Conditions may proceed under a project-specific LAD Notice to Proceed (NTP). All other projects, or those receiving significant comments from public agencies, would require a Standard Individual Permit.

Vicinity Map of LAD Coastal Jurisdiction

2.4 PROJECT OBJECTIVES

The major objectives of this project are to:

1. Streamline the LAD Regulatory procedures for permitting of beach nourishment activities subject to the Corps' authority under Section 404 of the CWA and Section 10 of the Rivers and Harbors Act;
2. Address sediment deficits and coastal erosion on local beaches; and
3. Provide an opportunity for beneficial reuse of dredged material in concert with State policies and the Corps' program for RSM.

2.5 DESCRIPTION OF RGP

RGP 67 is designed to obtain surplus sand from upland construction, development, or dredging projects in the region and place it on local beaches for nourishment purposes. The purpose is to capitalize on opportunities to obtain beach-quality sand from construction projects and other sources when it becomes available. In order to qualify for the RGP and subsequent issuance of a NTP, an applicant would be required to submit the following information as part of a complete application:

1. A Draft Sampling and Analysis Plan (SAP) for tiered testing pursuant to the Inland Testing Manual ([ITM] *Evaluation of Dredged Material Proposed for Discharge in the Waters of the U.S.-Testing Manual, U.S. Environmental Protection Agency [USEPA] reference 823-B-98-004, Corps' Office of Water, February 1998)*.
2. A report on the aesthetic qualities of the proposed discharge material, with a comparison to those qualities of the receiving beach in a qualitative fashion.
3. A Draft Special Aquatic Site (SAS) Survey, including a pre- and post-project Mitigation and Monitoring Reporting Plan (MMRP) for any SAS impacts in the vicinity.
4. A Sediment Budget Analysis that would demonstrate the need for placement.
5. A Biological Impact Report to document how the project would meet the RGP 67 activity restrictions to avoid impacts to plants and animals listed or proposed for listing as threatened or endangered under the federal or California Endangered Species Acts.
6. A Transport and Discharge Plan that details the operational procedures for the transport and discharge for all sediments.

To obtain permit approval, the project would have to:

- Document in the SAP that the proposed material for beach discharge is comprised of at least 75 percent sand (percent fines [silt and clay fraction] cannot exceed 25 percent) and that the fines fraction of the discharge

material is within 10 percent of the sand on the receiving beach (e.g., if fines on beach are 5 percent, fines in discharge cannot exceed 15 percent);

- Test clean per the requirements of the ITM or be categorically excluded from testing according to 40 Code of Federal Regulations (CFR) 230.60 (a) and (d);
- Have no significant negative aesthetic impact on the receiving beach. The State Water Board will require that this also applies to adjacent ocean waters;
- Not adversely impact any SAS and/or provide adequate mitigation and post-project monitoring to address such impacts in consultation with National Oceanic and Atmospheric Administration (NOAA) Fisheries;
- Meet the above plant and animal restrictions;
- Prove a need for the discharge with sediment budget analyses;
- Meet any additional data needs requested by the reviewing agencies (see Section 2.8 below) including data on upland source material; and
- Provide a Coastal Consistency Certification from the California Coastal Commission.
- The State Water Board will also require that discharges comply with applicable provisions of the California Ocean Plan and the Regional Water Board Water Quality Control Plans (Basin Plans).

The Corps would prepare a Pre-Construction Notification (PCN) transmittal containing detailed information pursuant to the list above, and this transmittal would be provided to the following agencies for a 15-day comment period: the California Coastal Commission; California Department of Fish and Game (CDFG); State Water Board; USEPA; NOAA Fisheries, and the U.S. Fish and Wildlife Service (USFWS). If any adverse impacts to Essential Fish Habitat (EFH) or threatened or endangered species were identified, the Corps would initiate the required consultations with the resource agencies and consider the need for alternate permitting strategies. Projects not meeting the above criteria, or those involving substantial resource issues and/or concerns from resource agencies, would be required to submit an application for a Standard Individual Permit.

The State Water Board will require that Corps also include the appropriate Regional Water Quality Control Board (Regional Water Board) in the PCN transmittal as a condition of the certification. The State Water Board will reserve the Regional Water Boards' right to require project-specific certification if special requirements must be enforced to meet water quality objectives.

For projects meeting all criteria and not involving substantial resource issues and/or concerns from resource agencies, the Corps would issue a NTP.

Proposed Special Conditions of RGP 67

The permittee must meet the following Conditions of RGP 67:

Pre-Discharge Conditions:

1. Discharges of fill beach material shall be limited to the volume and grain size distribution specified on a case-by-case basis. The fill material cannot be less than 75 percent sand, and the fines fraction (silt and clay) must be within 10 percent of the sand on the receiving beach (e.g., if fines on beach are 5 percent, fines in discharge cannot exceed 15 percent). No discharge of fill material is authorized until the Corps has provided a Final NTP according to the requirements below.

   The permittee is required to submit a SAP to the Corps and USEPA and then must receive written approval from the Corps for each proposed use of RGP 67. The SAP will be in accordance with standard ITM tiered testing procedures and will include testing at the source and proposed discharge sites. The SAP would also document sieve analysis.

2. If source material is to be dredged from Section 10 waters of the U.S., separate authorization under Sections 10 and/or 404 of the CWA will be required. If source material is to be dredged/excavated from non-Section 10 waters of the U.S., separate authorization under Section 404 of the CWA may be required.

3. Materials derived from upland sources must be discharged into the surf-zone, subject to other applicable restrictions (location, timing) as required by the Corps.

4. A SAS survey is required with the RGP application. The survey would identify the habitat types immediately adjacent to and downcoast of the proposed discharge, as well as delineate any SASs with potential to be impacted by the proposed discharge. For purposes of RGP 67, SASs are defined to include eelgrass beds, high-relief reef and low-relief vegetated reefs, with indicator species including giant and feather boa kelp, large sea fans, sea palms, and surf-grass. If SASs are present in the project area, then a MMRP will be submitted for Corps' review and approval at least 30 days prior to work in waters of the U.S. No work in waters of the U.S. is authorized until the permittee receives written approval of the MMRP from the Corps. The MMRP

would detail pre- and post-project monitoring of potential affects to SASs. The MMRP would be subject to iteration and comment from the Corps and the NOAA Fisheries. The MMRP would identify monitoring protocol, reporting protocol, and contingency operations to evaluate potential changes in turbidity/sedimentation, water quality, and biology within the proposed discharge site and the adjacent offshore area. The State Water Board will also require that locations of potentially affected Areas of Special Biological Significance (ASBS) be identified in the SAS survey and addressed in the MMRP. Discharges of sediment shall not occur directly into an ASBS without approval from a Regional Water Board pursuant to the California Ocean Plan, Section III (E). Turbidity plumes from sediment deposition outside of an ASBS shall not alter natural water quality or harm the marine aquatic life in an ASBS.

5. The applicant is required to report on the aesthetic qualities of the proposed discharge, with a comparison to those qualities of the receiving beach in a qualitative fashion.

6. A detailed Sediment Budget Analysis is required that would demonstrate the need for placement of the beach nourishment material at the location proposed based on (1) pre-project sediment budget analysis or (2) known sediment budget data for the receiving beach from a reasonably recent study. The applicant should be able to demonstrate a net loss of sediment deposition over the project area; thus, local beach profiles reflect these conditions and show the effects of erosion.

7. A Biological Impact Report is required to document how the project would meet the following RGP 67 activity restrictions to avoid impacts to plants and animals listed or proposed for listing as threatened or endangered under the federal or California Endangered Species Acts:
    a. No activities authorized under RGP 67 will be conducted within 500 yards of breeding Western snowy plover, *Charadrius alexandrinus nivosus,* from March 1 through September 30.

    b. No activities authorized under RGP 67 will adversely impact EFH, including the burying of kelp or other marine vegetation that provides a forage base for Western snowy plover. EFH means those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity (Magnuson-Stevens Act, 16 U.S.C. 1801 et seq).

    c. No activities authorized under RGP 67 will be conducted within 1000 yards of a California least tern, *Sterna antillarum browni,*

breeding colony from April 1 through August 30.

d. Activities will avoid wintering concentrations of Western snowy plovers.

e. Activities will avoid impacts to light-footed clapper rail habitat, *Rallus longirostris levipes,* and shall not occur within 500 yards of occupied rail habitat during the breeding season.

f. No activities will occur within any estuary or lagoon.

g. In order to avoid impacts to the grunion, *Leuresthes tenuis*, dredging and deposition of material will normally be restricted to the period between September 1st and February 28th. (Grunion are nearshore fish that lay their eggs on sand beaches during extreme nighttime high tides between March and August). If dredging or deposition outside this window is required, applicants will be required to assess a schedule of predicted runs according to a grunion calendar produced by the CDFG and not discharge less than 24 to 72 hours prior to a predicted run. Discharges will not be allowed immediately following a documented run. (In addition, mitigation measure Bio-2 requires consultation with CDFG when discharging to a beach with grunion present-see Chapter 3, Section IV. Biological Resources).

8. A detailed description of the transport and discharge operations authorized by RGP 67 will be submitted to the Corps at least 30 days prior to work in waters of the U.S. Description of the transport and discharge operations should include, at a minimum, the following:

a. Transport and discharge procedures for all sediment, including all material unsuitable for beach nourishment discharge.

b. A schedule showing when the beach nourishment project is planned to begin and end.

c. A debris management plans to prevent disposal of large debris at all discharge locations. The debris management plan shall include: sources and expected types of debris, debris separation and retrieval methods, and debris disposal methods.

d. The volume of material to be excavated and discharged.

e. If permittee has used RGP 67 previously, then provide a list of previous discharges for all locations by site, date, and volume, as well as the total volume of material, which has been excavated.

During Construction Activity:

9. The permittee will establish a safety flag perimeter of the beach nourishment area during disposal activities and monitor the premises to protect the general public from construction hazards and equipment.

10. No maintenance, storage, or fueling of heavy tracked equipment or vehicles will occur within 500 feet of the high tide line of waters of the U.S. (In addition, mitigation measure Hazmat-1 requires a Spill Prevention, Containment and Countermeasures Plan be prepared that specifies fueling procedures, equipment maintenance procedures, and containment and cleanup measures to be followed in the event of a spill-see Chapter 3, Section VII, Hazards).

Post-Discharge Conditions:

11. If a violation of any permit condition occurs during discharge operations, the permittee shall report such violations to the LAD's Regulatory Branch within twenty-four (24) hours after the violation occurs. If the permittee retains any contractors to perform any activity authorized by RGP 67 or to monitor compliance with this permit, the permittee shall instruct all such contractors that notice of any permit violations must be provided to the permittee immediately so the permittee can report the violation as required. The State Water Board will require that any violations of the permit conditions be reported to the appropriate Regional Water Board within 24 hours.

    The permittee shall send one (1) copy of a post-discharge report to the LAD's Regulatory Branch documenting compliance with all general and special conditions defined in RGP 67. The post-discharge report shall be sent within 30 days after completion of the discharge operations authorized in RGP 67. The State Water Board will require one (1) copy of the post-discharge report be sent to the Regional Water Board within 30 days after completion of the discharge operations authorized in RGP 67.

The post-discharge report shall include:

a. All information collected by the permittee as required by the special conditions of RGP 67. The report shall indicate whether all general and special permit conditions were met. Any violations of RGP 67 shall be explained in detail.

b. The post-discharge report shall include the following information:

i. Corps' permit number.

ii. Total cubic yards disposed at each discharge site.

iii. Modes of transportation and discharge.

iv. Form of discharged material and percent sand, silt and clay in the dredged material.

v. Actual start date and completion date of transport and discharge operations.

vi. Monitoring results.

12. The permittee will submit the results of post-project monitoring of any SASs, as specified in the MMRP (see #4 above), within 30 days of the discharge as part of the post-discharge reporting requirements (see #11 above). Based on pre- and post-project monitoring results, the Corps will determine the level of impact and if additional resource monitoring is warranted. If additional monitoring is required, the Corps will notify the permittee of this requirement and the permittee shall submit a supplemental monitoring plan for Corps' review and approval within 30 days of notification by the Corps. If the Corps determines no impacts, the monitoring program may be terminated at that time.

13. Based on pre- and post-project monitoring results, the Corps will determine if mitigation is required for impacts to aquatic resources. Any required mitigation would be the responsibility of the permittee and failure to implement Corps specified mitigation would result in enforcement proceedings.

2.6 PROJECT CONSTRUCTION PERIOD

The construction period for dredging and deposition of material under RGP 67 would be limited to September 1st to February 28th to avoid impacts to the grunion. If dredging outside this window is required, permittees will be required to implement avoidance measures as described above (see Pre-Discharge condition 7(g.) above)

2.7 CONSISTENCY WITH LOCAL PLANS AND POLICIES

Any beach nourishment activity pursued pursuant to RGP 67 would require Coastal Consistency Certification from the California Coastal Commission.

2.8 DISCRETIONARY APPROVALS

The Corps has approval authority for the proposed RGP 67. The following are the Responsible and Trustee Agencies:

• State Water Board • Regional Water Boards--Regions 3, 4, 8, and 9	• Water Quality Certification • State Waste Discharge Requirements for a specific discharge (possibly); • Water Quality Certification for a specific discharge (possibly) • Review/approval of various RGP requirements
• California Coastal Commission	• Consistency Determination--Certification of Consistency with Coastal Zone Management Act • Coastal Development Permits (possibly)
• State Office of Historic Preservation	• Responsible for administration of federally and State mandated historic preservation programs
• USEPA	• Review/approval of project-specific pre-discharge RGP conditions
• USFWS	• Responsible for Endangered Species Act consultations
• NOAA Fisheries	• Responsible for EFH consultations

CHAPTER 3
Environmental Checklist

PROJECT INFORMATION

1.	Project Title:	General Permit 67 for Opportunistic Beach Nourishment in Southern California by the Regulatory Branch, Los Angeles District (LAD), US Army Corps of Engineers (Corps)
2.	Lead Agency Name & Address:	State Water Resources Control Board Division of Water Quality-Surface Water Regulatory Branch 1001 I Street Sacramento, California 95814
3.	Contact Person & Phone Number:	Bill Orme, (916) 341-5464
4.	Project Location:	Coastal jurisdiction of LAD, Corps
5.	Project Proponent Name & Address:	Regulatory Branch, LAD, Corps P.O. Box 532711 Los Angeles, California 90053-2325 (contact : Joshua L. Burnam)
6	General Plan Designation:	N/A
7.	Zoning:	N/A
8.	Description of Project:	The Regulatory Branch, LAD, Corps proposes to streamline the Regulatory procedures for permitting of beach nourishment activities within the LAD to address sediment deficits and coastal erosion on local beaches and provide a beneficial reuse of dredged material in concert with State policies and the Corps' Regional Sediment Management Program.
9.	Surrounding Land Uses & Setting:	Activities to be considered for opportunistic beach nourishment may occur in or next to any coastal waters in the LAD which meet permit requirements and conditions
10.	Required Agency Approvals :	See Chapter 2, Section 2.8

1. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact", as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agricultural Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous Materials	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☐ Utilities/Service Systems	☐ Mandatory Findings of Significance	☒ None

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment and a **NEGATIVE DECLARATION** will be prepared. ☐

I find that, although the original scope of the proposed project **COULD** have had a significant effect on the environment, there **WILL NOT** be a significant effect because revisions/mitigations to the project have been made by or agreed to by the applicant. A **MITIGATED NEGATIVE DECLARATION** will be prepared. ☒

I find that the proposed project **MAY** have a significant effect on the environment and an **ENVIRONMENTAL IMPACT REPORT** or its functional equivalent will be prepared. ☐

I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated impact" on the environment. However, at least one impact has been adequately analyzed in an earlier document, pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis, as described in the report's attachments. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the impacts not sufficiently addressed in previous documents. ☐

I find that, although the proposed project could have had a significant effect on the environment, because all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to applicable standards, and have been avoided or mitigated, pursuant to an earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, all impacts have been avoided or mitigated to a less-than-significant level and no further action is required. ☐

_____ _____

Bill Orme
Environmental Scientist
State Water Resources Control Board

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers, except "No Impact", that are adequately supported by the information sources cited. A "No Impact" answer is adequately supported if the referenced information sources show that the impact does not apply to the project being evaluated (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on general or project-specific factors (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must consider the whole of the project-related effects, both direct and indirect, including off-site, cumulative, construction, and operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether that impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate when there is sufficient evidence that a substantial or potentially substantial adverse change may occur in any of the physical conditions within the area affected by the project that cannot be mitigated below a level of significance. If there are one or more "Potentially Significant Impact" entries, an Environmental Impact Report (EIR) is required.

4. A "Mitigated Negative Declaration" (Negative Declaration: Less Than Significant with Mitigation Incorporated) applies where the incorporation of mitigation measures, prior to declaration of project approval, has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact with Mitigation." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR (including a General Plan) or Negative Declaration [CCR, Guidelines for the Implementation of CEQA, § 15063(c)(3)(D)]. References to an earlier analysis should:

   a) Identify the earlier analysis and state where it is available for review.

   b) Indicate which effects from the environmental checklist were adequately analyzed in the earlier document, pursuant to applicable legal standards, and whether these effects were adequately addressed by mitigation measures included in that analysis.

   c) Describe the mitigation measures in this document that were incorporated or refined from the earlier document and indicate to what extent they address site-specific conditions for this project.

6. Lead agencies are encouraged to incorporate references to information sources for potential impacts into the checklist or appendix (e.g., general plans, zoning ordinances, biological assessments). Reference to a previously prepared or outside document should include an indication of the page or pages where the statement is substantiated.

7. A source list should be appended to this document. Sources used or individuals contacted should be listed in the source list and cited in the discussion.

8. Explanation(s) of each issue should identify:
   a) the criteria or threshold, if any, used to evaluate the significance of the impact addressed by each question **and**
   b) the mitigation measures, if any, prescribed to reduce the impact below the level of significance.

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ENVIRONMENTAL ISSUES

I. AESTHETICS.

WOULD THE PROJECT:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion

a-c) A beneficial effect on scenic vistas is anticipated by placing sand on eroded beaches and creating greater sand cover. Discharge of opportunistic fill materials might have an effect on the aesthetic quality of the receiving beach due to variations in color and grain size. The proposed RGP is predicated on discharges having no negative aesthetic impact on the receiving beach. A report comparing the aesthetic qualities of the discharge material to the receiving beach is required in the RGP application. Projects with a negative impact on aesthetics would not qualify for the RGP (see Section 2.5 Project Description, item 2). During the construction period, there would be some decrease in the visual appeal of the project area due to the presence of heavy equipment. Turbidity of ocean waters could also occur if sediments are discharged into the surf-zone. However, since these impacts would be temporary, the impact would be less than significant.

d) Since construction will not occur at night, lighting is not an element of this project and no new light sources would be installed. Therefore, there would be no impact from this project.

II. AGRICULTURAL RESOURCES.

WOULD THE PROJECT*:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☒

* In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model for use in assessing impacts on agricultural and farmland.

Discussion

a-c) The beach nourishment activities associated with the RGP do not involve any change of use and will have no effect on any category of California Farmland, conflict with zoning for agricultural use or any Williamson Act contract, or result in the conversion of farmland to non-agricultural use. No impact.

III. AIR QUALITY.

WOULD THE PROJECT*:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Conflict with or obstruct implementation of the applicable air quality plan or regulation?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☒	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations (e.g., children, the elderly, individuals with compromised respiratory or immune systems)?	☐	☒	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

* Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make these determinations.

Discussion

a) The project activities will not be a significant source of air pollutants and therefore will not conflict with or obstruct implementation of any applicable air quality plans or regulations. No impact.

b, c) The proposed project would not emit air contaminants at a level that, by themselves, would violate any local, State, or federal ambient air quality standard (AAQS), or contribute to a permanent or long-term increase in any air contaminant. However, project construction would generate short-term emissions of fugitive dust (PM10) and involve the use of equipment that would emit ozone precursors (i.e., reactive organic gasses [ROG] and nitrogen oxides, or NOx). Increased emissions of PM10, ROG, and NOx could contribute to existing non-attainment conditions and interfere with achieving the projected attainment standards. Consequently, construction emissions would be considered a potentially significant short-term adverse impact. The Corps requires the RGP applicant submit a detailed transport and discharge plan for review and approval which discusses all transport and discharge procedures (see section 2.5, Project Description, Pre-Discharge Conditions). This transportation and discharge plan and the implementation of the following mitigation measure would reduce potential impact to a less than significant level:

MITIGATION MEASURE AIR-1
• All trucks hauling sand or other loose materials would be covered or required to maintain at least two feet of freeboard. • All equipment engines would be maintained in good condition, in proper tune (according to manufacturer's specifications), and in compliance with all State and federal requirements. • All operations will be conducted in compliance with County Air Quality District requirements.

d) It is likely that some children, the elderly, and those suffering from respiratory problems may reside in the project vicinity. The project would generate dust and equipment exhaust emissions for the brief period of construction. However, due to coastal winds, limited construction period, restriction of public access to the construction site, and minor emissions at the project site, harmful exposure is unlikely. These conditions, in conjunction with Mitigation Measure AIR-1 above, would reduce the potential adverse impact to a less than significant level.

e) The proposed work would not result in the long-term generation of odors. Construction-related emissions could result in a short-term generation of odors, including diesel exhaust and fuel or solvent vapors. These odors might be considered objectionable; however, because construction activities would be short-term, odorous emissions would dissipate rapidly in the air, with increased distance from the source. Any odors associated with the fill material from upland areas would be short-term since it will be discharged into the surf-zone to be reworked by the ocean currents(see Section 2.5 Project Description, Pre-Discharge Conditions, item 3). Less than significant impact.

IV. BIOLOGICAL RESOURCES.

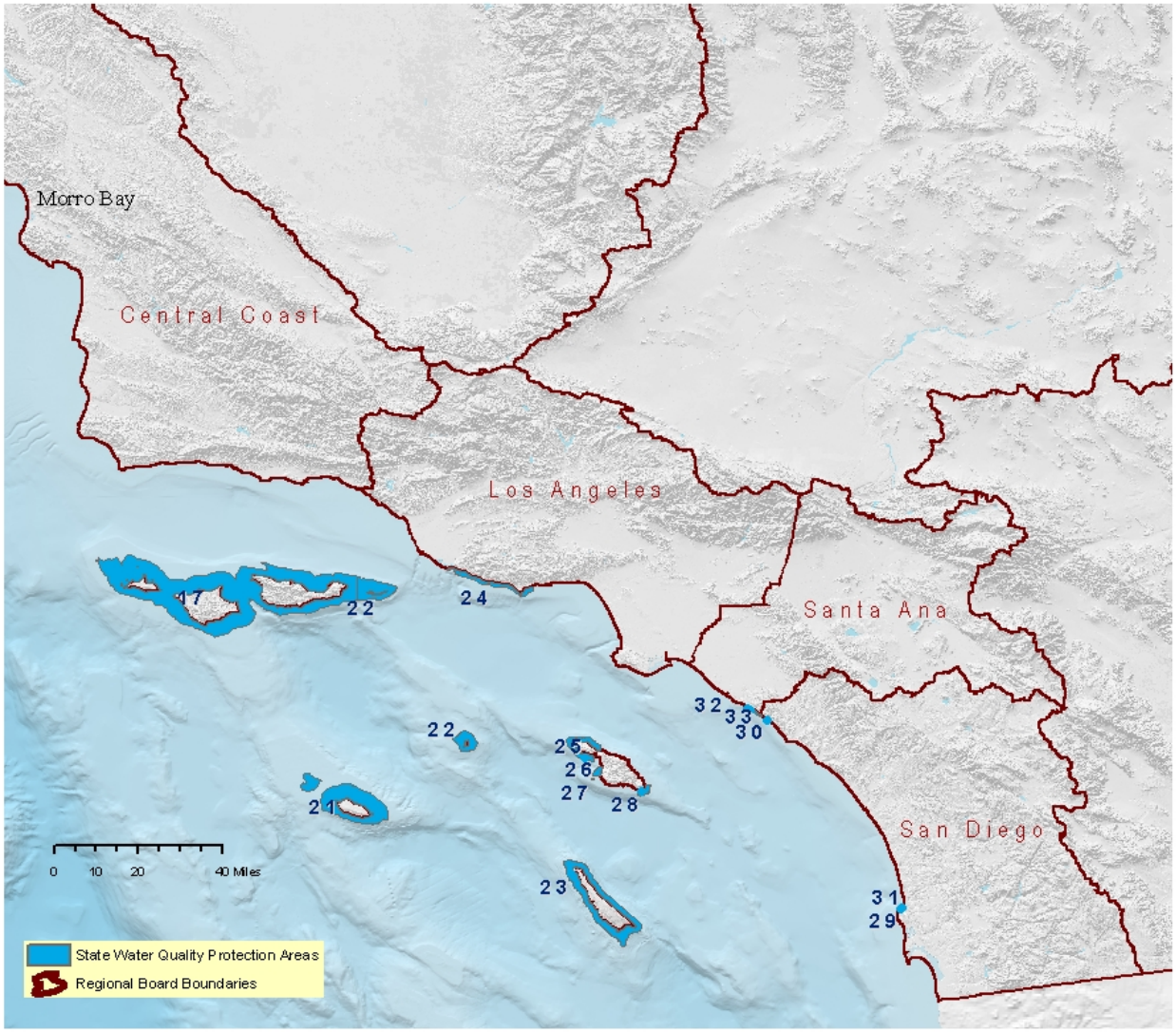
Sensitive biological resources that may occur in the southern California coastal environment are discussed in this section. Sensitive biological resources include the plants and animals that have been given special recognition by federal, State, or local resource agencies and organizations. Also included are habitats that are listed as critical for the survival of a listed species or have special value for animal species, and plant communities that are unique or of limited distribution.

Plants

A SAS, as identified in 40 CRF 230, Subpart E, is a geographic area, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region. Important sensitive habitats on the coast include eelgrass beds and high and low relief reefs vegetated with indicator species such as giant and feather boa kelp, large sea fans, sea palms, and surfgrass. A SAS survey is required for the project area, and impacts would be assessed by the Corps on a case-by-case basis. Surveys would be designed to identify the habitat types immediately adjacent and downcoast of the proposed discharge, as well as to delineate any SASs with potential to be impacted by the proposed discharge. The plan would also need to propose pre- and post-project monitoring procedures to monitor potential affects to SASs, if any exist in the project area. The State Water Board will also require that locations of potentially affected ASBSs be identified in the SAS survey and addressed in the monitoring plan. Discharges of sediment shall not occur directly into an ASBS without approval from a Regional Water Board pursuant to the California Ocean Plan, Section III (E). Turbidity plumes from sediment deposition outside of an ASBS shall not alter natural water quality or harm the marine aquatic life in an ASBS.

Proposed activities could result in adverse impacts to EFH, which are those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity (Magnuson-Stevens Act, 16 U.S.C. 1801 et seq). These impacts would result from habitat and organism burial due to sediment deposition. Offshore mobile organisms, such as fishes, generally will avoid the turbidity plumes and are more adapted to high-energy natural sediment transport-processes such as waves and storms. However, some organisms are not able to easily adapt to increased turbidity, for example, light sensitive plant resources. These typically include high relief reef and low relief vegetated reefs, with indicator species including giant and feather boa kelp, large sea fans, sea palms, and surf-grass. While these resources may be present offshore of proposed discharge sites, it is not likely that proposed projects would decrease light passage through the water column more than would naturally occurring storms. Consequently, project-associated turbidity should not adversely affect these biological resources.

State Water Quality Protection Areas (ASBS)



State Water Quality Protection Area Name
17 San Miguel, Santa Rosa and Santa Cruz Islands ASBS
21 San Nicholas Island and Begg Rock ASBS
22 Santa Barbara Island and Anacapa Island ASBS
23 San Clemete Island ASBS
24 Mugu Lagoon to Latigo Point ASBS
25 Santa Catalina Island-Subarea One, Ismuth Cove to Catalina Head ASBS
26 Santa Catalina Island-Subarea Two, North End of Little Harbor to Ben Weston Point ASBS
27 Santa Catalina Island-Subarea Three, Farnsworth Bank Ecological Reserve ASBS
28 Santa Catalina Island-Subarea Four, Binnacle Rock to Jewfish Point ASBS
29 San Diego-La Jolla Ecological Reserve ASBS
30 Heisler Park Ecological Reserve ASBS
31 San Diego Marine Life Refuge ASBS
32 Newport Beach Marine Life Refuge ASBS
33 Irvine Coast Marine Life Refuge ASBS

Water Boards

September, 2005 State Water Resources Control Board

In addition to inhibiting light, turbidity and deposition result in the physical burial of benthic species and habitat. Monitoring data from the Ponto Beach discharge in 1998 (University of Southern California & California Department of Boating and Waterways, *The Fate of Fine Sediments In A Suspension Plume: Ponto Beach, California: A Report of Findings*, April 1998), for 10,000 cubic yards of sediment with 18 percent fines discharged directly into the surf-zone, indicated that only a fine layer of sediment covered the ocean floor. Based on these results, the proposed discharges may result in a small amount of burial, typically less than an inch, over the inter- and sub-tidal floor, of SASs. Buried habitat would be recolonized over time (weeks to a few years depending on habitat type). Mitigation pursuant to the Southern California Eelgrass Mitigation Policy (NOAA Fisheries Service, Southwest Regional Office,1991) may be required if eelgrass beds are located offshore and/or downcoast of the site and subsequent monitoring determines there has been an adverse effect on the bed. The Corps would make more detailed project-specific determinations for each proposed use of the RGP and include that information in a PCN transmittal, including the results of required pre-project SAS surveys (required for a complete application). Projects with greater than minimal effects to SASs would not be eligible for RGP 67.

Animals

Grunion Fishery: The grunion, *Leuresthes tenuis*, is a local species known to occur predominantly along the southern California coast. Grunion use sandy beaches for spawning, between late March and early September. If construction overlaps with grunion activity, pre-project surveys would be conducted to identify beach suitability for grunion activity. Based on the survey findings, appropriate measures would be taken to avoid impacts on the grunion spawn. As such, the proposed RGP 67 would not affect spawning activities.

Commercial/Recreational Fishery Concerns: Lobster. Regionally, lobster is the most important commercial species in terms of value and one of the top species hunted by recreational divers. Although project impacts are not predicted to have direct impacts on the fisheries, it could have indirect impacts if surfgrass or hard-bottom habitat is impacted. Juvenile lobster use the near-shore environment for one to two years; they are dependent upon the surfgrass and hard-bottom reef habitats as a nursery area and a refuge from predation. Consequently, the effects of the beach nourishment activities could affect the overall success of juvenile lobsters. However, as indicated above, impacts to EFH resources are expected to be less than significant.

The California least tern, *Sterna antillarum browni* (State and federally endangered), and the California brown pelican, *Pelecanus occidentalis californianus*, (State and federally endangered), may use areas within the vicinity of proposed discharges. Pelicans nest from the Channel Islands of southern California southward along the Baja California coast and in the Gulf of California to coastal southern Mexico. The pelicans build nests of sticks on the ground, typically on islands or offshore rocks. The only breeding population in United States waters is the Southern California Bight (SCB) population, which consists of breeding birds on the Channel Islands and several islands off Baja California: West Anacapa Island, Santa Barbara

Island, Isla Coronado Medio, and Isla Coronado Norte. Between breeding seasons, pelicans from other populations join SCB birds in wandering along the west coast of North America as far north as British Columbia. They feed by diving into the water for fish within three feet of the surface, or surface feed while swimming. Least terns also forage for fish by diving in head first for a variety of small fish in areas with water usually less than 60 feet in depth. They nest colonially on beaches and mudflats and prefer undisturbed areas that are sparsely vegetated, flat, with loose sandy substrate. Today, the breeding range of these terns is limited to San Francisco Bay and a few areas along the coast from San Luis Obispo County to San Diego County. During the winter months, they head south to the Pacific coast of Central America. When feeding, California least terns often follow schools of fish north and may be seen fishing off the southern coast of Oregon**.** The beach nourishment activities generally would consist of temporary placements of fill on beach sites as opportunities occur, which would produce short term increases in turbidity in the project vicinity. Turbidity would be expected to be short-lived since the offshore hydrodynamic environment favors prompt plume dispersion. It has been found in a number of studies that beach nourishment projects on high-energy beaches quickly equilibrate with the current wave regime. Finer sediments are promptly winnowed from the nourishment material, causing only a short period of elevated turbidity. It is generally agreed that localized and transitory nature of beach nourishment turbidity is directly related to the use of material that is low in clay and silt and resembles as closely as possible the indigenous beach sand. (Coastal Sediment Compatibility and Impact Study, 2004). Therefore, water quality impacts would be short-term and less than significant and would not affect foraging opportunities for either species. Additionally, it is not expected that temporary turbidity increases would effect prey populations supporting these species. The Corps would make more detailed project-specific determinations for each proposed use of RGP 67 and include that information in a PCN transmittal.

The Western snowy plover, *Charadrius alexandrinus nivosus* (federally threatened), is a resident to southern California. The plover nests typically in flat, open areas with sandy or saline substrates. Snowy plovers forage on invertebrates in the wet sand and amongst the surf-cast kelp within the inter-tidal zone; in the dry, sandy areas above the high tide; on saltpans; and along the edges of salt marshes and salt ponds. Snowy plovers typically forage in areas with little or no human activity; plovers generally avoid areas of high activity, especially where human use is relatively high. As project beaches are routinely maintained by earth-moving equipment and support relatively high recreational use, the potential impact area is not expected (or not known) to support foraging habitat for the Western snowy plover. The Corps would make more detailed project-specific determinations for each proposed use of RGP 67 and include that information in a PCN transmittal.

The light-footed clapper rail, *Rallus longirostris levipes* (State and federally endangered), is found only in southern California from Santa Barbara County south to San Diego County. The light-footed clapper rail (rail) inhabits coastal saline emergent wetlands dominated by pickleweed and cordgrass. The rail nests in the lower zones of the marsh where cordgrass is abundant and tidal sloughs are nearby. These birds are difficult to observe in the dense salt marsh habitats they prefer. The rail forages in higher marsh vegetation, along vegetation and

mudflat interface, and along tidal creeks. The project beaches, as mentioned above, are not likely to include salt marsh habitat. However, the Corps will make more detailed project-specific determinations for each proposed use of RGP 67 and include that information in a PCN transmittal.

The tidewater goby, *Eucyclogobius newberryi* (federally endangered), a fish that occurs in tidal streams associated with coastal wetlands in California, is not expected to be impacted by any short-term increases in turbidity that would result from proposed discharges. Therefore, preliminary determinations indicate that project activities would have no effect on the goby. The Corps would make more detailed project-specific determinations for each proposed use of RGP 67 and include that information in a PCN transmittal.

The Corps has completed consultation for RGP 67 under Section 7 of the Endangered Species Act. The USFWS concurred with the Corps' findings that the proposed RGP 67 is not likely to adversely affect federally threatened or endangered species. The Corps has agreed to include the following conditions in RGP 67:

- No activities will be conducted within 500 yards of breeding Western snowy plover from March 1 through September 30.

- No activities will adversely impact EFH, including the burying of kelp or other marine vegetation that provides a forage base for Western snowy plover.

- No activities will be conducted within 1000 yards of a California least tern breeding colony from April 1 through August 30.

- Activities will avoid wintering concentrations of Western snowy plovers.

- Activities will avoid impacts to rail habitat and avoid conducting activities within 500 yards of occupied rail habitat during the breeding season.

- No activities within any estuary or lagoon.

- In order to avoid impacts to the grunion, dredging and deposition of material should be restricted to the period between September 1st and February 28th. If dredging or deposition outside this window is required, applicants will be required to assess a schedule of predicted runs according to a grunion calendar produced by the CDFG and not discharge less than to 24 to 72 hours prior to a predicted run. Discharges will not be allowed immediately following a documented run (in addition, mitigation measure Bio-2 requires consultation with CDFG when discharging to a beach with grunion present).

BIOLOGICAL RESOURCES

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:				
a) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a sensitive, candidate, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands, as defined by §404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

a, b) The potential exists for adverse impacts to SASs and EFH's. However, as discussed above, projects with greater than minimal effects to these resources would not be eligible for RGP 67. Turbidity plumes from discharge activities may cause adverse impacts as discussed above. The following mitigation would reduce the potential for adverse impacts from these incidents to a less than significant level:

MITIGATION MEASURE BIO-1
• Turbidity would be monitored by a qualified observer from a high vantage point (likely lifeguard tower) during each day of construction. The observer would map and photograph the extent of turbidity, and note environmental conditions such as wind, weather, rain events, wave activity, etc. If significant water quality impacts are evident, then the dredging operation will be modified or suspended.

Grunion spawn on sandy beaches between March and August during middle-of-the night spring high tides. Their eggs incubate in the sand and hatch in approximately two weeks when the next spring high tide occurs. Grunion have the potential to be affected by beach replenishment if eggs are buried by fresh material, thus preventing the eggs from hatching. The following mitigation measure will insure significant impacts are avoided:

MITIGATION MEASURE BIO-2

- If beach nourishment activities occur between March and August, a qualified monitor will observe the beach for evidence of grunion runs two to three weeks prior to construction during a predicted grunion run (according to the grunion calendar produced by the CDFG), and immediately prior to construction. If grunion are not present during the predicted runs, no further monitoring will occur. If grunion are present, then consultation with CDFG will be required to determine the appropriate measures to avoid any significant impacts on the grunion spawning.

The California least tern and the California brown pelican may be adversely impacted by a reduction in foraging opportunities from project discharges that cause turbidity. However, turbidity increases would be short-term and have a less-than-significant impact on the foraging opportunities of both species and would not be expected to effect prey populations supporting the species. In addition, California least tern breeding colonies will be protected by RGP 67 conditions.

As reviewed above, the Western snowy plover is not likely to be present in areas of high human activity that would typically be served by RGP 67. Further, no activities will adversely impact snowy plover breeding or wintering concentrations based on RGP 67 conditions.

Rail habitat could be adversely impacted. However, according to RGP 67 conditions, impacts to rail habitat will be avoided and rail breeding activity will be protected by RGP 67 conditions (500 yard buffer).

c) Pursuant to RGP 67 conditions, no activities will occur within any estuary or lagoon. Therefore, there will be no impacts to wetlands.

d) No fish or wildlife movement or native nursery site use will be impeded by the project. Mobile organisms such as fish are expected to avoid potential turbidity plumes. There would be rapid recolonization of marine habitat that was buried. As reviewed above, construction will avoid impacts to grunion runs. Breeding sites of the Western snowy plover, California least tern, and rail will be protected in accordance with RGP 67 conditions. Impacts to wildlife movement and nursery sites from this project would be less

than significant.

e,f) Beach nourishment activities authorized by RGP 67 will not conflict with any local policies or ordinances protecting biological resources. In addition, these activities will not conflict with any habitat conservation plans or natural community conservation plans.

V. CULTURAL RESOURCES.

		POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:					
a)	Cause a substantial adverse change in the significance of a historical resource, as defined in §15064.5?	☐	☐	☒	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource, pursuant to §15064.5?	☐	☐	☒	☐
c)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Discussion

a-c) The Corps will follow the resource management protocols identified in Section 106 of the National Historic Preservation Act of 1966, as amended, pursuant to which the Corps will identify all historic and prehistoric sites in a project area utilizing both archival research and field-surveys in accordance with the Phase I study procedures of Section 106. If the Corps determines there are sites eligible for listing in the National Register of Historic Places located within the area for any proposed discharge, the Corps will then initiate Phase II procedures of Section 106 including consultation with the State Historic Preservation Officer. If the proposed discharge cannot be made to avoid impacting cultural resources, then a Phase III mitigation will be employed if the Corps elects to proceed with RGP 67. Otherwise, the project proponent would be required to submit an application for a Standard Individual Permit. Less than significant impact.

VI. GEOLOGY AND SOILS.

WOULD THE PROJECT:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area, or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable, as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems, where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☒	☐

Discussion

a) This project would not expose people or structures to potential adverse effects from rupture of earthquake faults, seismic ground shaking/ground failure, or landsides beyond existing conditions because the project would only add sand to an existing beach and no new building development would occur. Therefore, there is no impact.

b) The beach nourishment activities pursuant to RGP 67 will not involve any new construction or any extensive ground disturbing activities that could result in erosion and soil loss. Instead, these activities will result in potential positive impacts to sediment deficits and coastal erosion on beaches.

c) The activities authorized by RGP 67 should not be in areas that are considered to be unstable, although liquefaction, lateral spreading, subsidence, or landslides could possibly occur in some areas. However, this project would not change existing conditions, nor construct any new development that would put people at additional risk. Therefore, there is no impact.

d,e) N/A

f) The beach nourishment activities pursuant to RGP 67 will avoid any unique paleontological features within the project area that are identified by the California Coastal Commission as part of the Coastal Consistency Certification process. Unique geological features will not be impacted above baseline conditions since beach nourishment is a natural occurring process along the coast. Therefore, the impacts would be less than significant.

VII. HAZARDS AND HAZARDOUS MATERIALS.

		POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials, substances, or waste into the environment?	☐	☒	☐	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d)	Be located on a site which is included on a list of hazardous materials sites, compiled pursuant to Government Code §65962.5, and, as a result, create a significant hazard to the public or environment?	☐	☐	☐	☒
e)	Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport? If so, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f)	Be located in the vicinity of a private airstrip? If so, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h)	Expose people or structures to a significant risk of loss, injury, or death from wildland fires, including areas where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

Discussion

a-c) Construction activities may require the use of certain potentially hazardous materials, such as fuels, oils, and solvents. These materials are generally used for construction equipment and would be contained within vessels engineered for safe storage. Large quantities of these materials would not be stored at the construction site. Hazardous emissions from construction equipment would be minimal (see Air Quality above). A safety flag perimeter of the construction area during disposal activities will be established and the area will be monitored to protect the public from construction hazards and equipment. However, spills, upsets, or other construction-related accidents could result in a release of fuel or other hazardous substances into the

environment. The following mitigation measure would reduce the potential for adverse impacts from these incidents to a less than significant level:

MITIGATION MEASURE HAZMAT-1
• All equipment would be inspected for leaks immediately prior to the start of construction, and regularly inspected thereafter until project completion. • The contractor(s) would prepare a Spill Prevention, Containment and Countermeasures Plan that specifies fueling procedures, equipment maintenance procedures, and containment and cleanup measures to be followed in the event of a spill. • Equipment would be cleaned and repaired (other than emergency repairs) at least 500 feet from the high tide line of waters of the U.S. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of at a lawfully permitted or authorized designation.

d) There are no known hazardous materials sites located on potential beach nourishment project areas. Therefore, no impact would occur.

e,f) Since project activities will maintain existing public beaches, any safety hazards to the public due to airport or airstrip proximity are pre-existing conditions. Therefore, this project will have no impact.

g) All construction activities associated with the project would occur in public beach areas and would not restrict access to or block any public road. Access to the beach nourishment area would be restricted to authorized personnel only during construction. Therefore, the impact of this project on any emergency response or evacuation plan would be less than significant.

h) Beach nourishment areas present a low fire risk. The construction area will be monitored regularly and therefore the risk of potential adverse impacts would be less than significant.

VIII. HYDROLOGY AND WATER QUALITY.

The proposed discharges of dredged or upland-derived fill materials for the purpose of beach nourishment would result in turbidity plumes of variable dimensions. The provisions of the proposed permit include bulk chemistry testing according to the Corps/USEPA Tiered Testing program (1998), and would ensure that materials suspended through discharge would not be contaminated. Turbidity impacts may cause short-term, less than significant impacts to water quality and wildlife habitat and would return to baseline conditions once discharges were complete. Local changes in pH or salinity may occur if the upland derived materials represent differing salt content than natural substrates. However, the extreme degree of dilution would ensure that localized changes in water quality would be short-term and less than significant and would return to baseline conditions once discharges were complete.

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, in a manner which would result in substantial on- or off-site erosion or siltation?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map, or other flood hazard delineation map?	☐	☐	☐	☒
h) Place structures that would impede or redirect flood flows within a 100-year flood hazard area?	☐	☐	☐	☒

LESS THAN

		POTENTIALLY SIGNIFICANT IMPACT	SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
i)	Expose people or structures to a significant risk of loss, injury, or death from flooding, including flooding resulting from the failure of a levee or dam?	☐	☐	☐	☒
j)	Result in inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion

a) As discussed above, beach nourishment operations would cause turbidity plumes of variable dimensions. The implementation of mitigation measure Bio-1 will ensure that the impacts from turbidity are less than significant. If turbidity plumes are extensive or fail to dissipate, then the project would be modified to reduce turbidity to acceptable levels. Modifications would involve the timing and amount of future discharges and/or changes in the discharge design. Also, local changes in pH or salinity may occur if the dredged material differs in salt content. However, these impacts would be short-term due to the extreme degree of dilution. The provisions of the RGP would ensure that the materials suspended through discharge would be clean, beach-quality sand material and beneficial for the environment and public. Therefore, any impacts would be reduced to less than significant.

b) Construction activities associated with this project are not expected to deplete groundwater supply or interfere with groundwater recharge. No impact.

c-e) Proposed work associated with beach nourishment would not alter current drainage patterns in a manner which would result in substantial on-or-off site erosion or siltation, or the amount or rate of runoff, or contribute to on- or off-site flooding. Beach nourishment should help reduce existing erosion problems. No activities will occur in lagoons or estuaries. Therefore, project activities would result in a less than significant adverse impact related to drainage patterns and runoff.

f) See (a-e) discussions above. Impacts to water quality would be less than significant.

g,h) Construction of structures are not planned as part of this project. No impact due to this project.

i) There are no dams or levees that would be added as part of this project. Therefore, there is no impact due to this project.

j) There would be no increased risk to the public or to property from inundation by a seiche, tsunami, or mudflow since this project would maintain beach areas that are currently open for public use. All coastal locations are potentially exposed to tsunamis and the project would not change this existing condition. No impact.

IX. LAND USE AND PLANNING.

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with the applicable land use plan, policy, or regulation of any agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion

a) The project is restricted to beach nourishment activities. No communities will be divided. No impact.

b) The proposed activities will not necessitate or involve a change in land use classification. Discharges authorized by the RGP will require Coastal Consistency Certification from the California Coastal Commission. No impact.

c) No activities undertaken by the proposed RGP will conflict with any habitat conservation plans or natural community conservation plans. If any such plans are identified in the application process for an RGP, the Corps will consult with the appropriate agencies during the PCN period to ensure consistency with project activities (see Project Description, Section 2.5). No impact.

X. MINERAL RESOURCES.

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:				
a) Result in the loss of availability of a known mineral resource that is or would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

Discussion

a,b) No loss of mineral resources or mineral resource recovery sites would occur as a result of beach nourishment activities. No impact.

XI. NOISE.

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:				
a) Generate or expose people to noise levels in excess of standards established in a local general plan or noise ordinance, or in other applicable local, state, or federal standards?	☐	☐	☐	☒
b) Generate or expose people to excessive groundborne vibrations or groundborne noise levels?	☐	☐	☒	☐
c) Create a substantial permanent increase in ambient noise levels in the vicinity of the project (above levels without the project)?	☐	☐	☐	☒
d) Create a substantial temporary or periodic increase in ambient noise levels in the vicinity of the project, in excess of noise levels existing without the project?	☐	☐	☒	☐
e) Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport? If so, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
f) Be in the vicinity of a private airstrip? If so, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

Discussion

a) All noise associated with projects pursuant to RGP 67 are expected to take place during normal daily working hours and any restricted evening periods will be avoided as required by local general plans or ordinances, or other local, State, or federal standards.

b) Construction activity would not involve the use of explosives, pile driving, or other intensive construction techniques that could generate significant ground vibration or noise. Therefore, ground borne vibration or noise generated by the project would have a less than significant impact.

c) Once a beach nourishment project is completed, all related construction noise would disappear. Nothing within the scope of the proposed project would result in a substantial permanent increase in ambient noise levels. Therefore, no impact.

d) Discharge of dredged material can involve the use of heavy industrial equipment, including diesel-powered machinery. During construction, noise levels at and near the project area would fluctuate, based on the type and number of construction equipment and vehicles operating at any given time. Depending on the specific construction activities being performed, short-term increases in ambient noise levels could result, with a potential increase in annoyance to the public. However, as the work site will be flagged

off preventing pubic access to the area, the exposure to noise is expected to be less than significant.

e,f) These project activities may be located on beaches within an airport land use plan, within two miles of a public airport, or in the vicinity of a private air strip. In this case, however, the noise associated with the airport would be considered a pre-existing condition. The additional noise added by the construction activity pursuant to RGP 67 would be minor as discussed above. Less than significant impact.

XII. POPULATION AND HOUSING.

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

DISCUSSION

a-c) The project does not contain a housing or infrastructure component, nor will it displace any housing or people. No impact.

XIII. PUBLIC SERVICES.

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:				
a) Result in significant environmental impacts from construction associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	☐	☐	☐	☒
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Discussion

a) The activities associated with RGP 67 consist of maintaining existing beaches. These activities are not expected to contribute to an increase of visitation, and the level of required services is expected to remain relatively static. No Impact.

XIV. RECREATION.

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☒	☐

Discussion

a, b) The proposed project would maintain existing beaches by addressing sediment deficits and coastal erosion and accommodate current levels of public use. If these beaches receive higher use due to the improvements related to the beach fill discharges, it is not expected that this will cause a significant deterioration of existing facilities or that new facilities will be required. The activities do not include the construction or expansion of recreational facilities. Less than significant impact.

XV. TRANSPORTATION/TRAFFIC.

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:				
a) Cause a substantial increase in traffic, in relation to existing traffic and the capacity of the street system (i.e., a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Exceed, individually or cumulatively, the level of service standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Cause a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	☐	☐	☐	☒
d) Contain a design feature (e.g., sharp curves or a dangerous intersection) or incompatible uses (e.g., farm equipment) that would substantially increase hazards?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☒	☐
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Discussion

a, b) Depending on the required construction activities, such as receiving upland source materials, increased vehicle traffic on local streets and highways is possible during proposed discharges. The project will not generate new vehicle trips to the project location once construction is completed. Less than significant impact.

c) The project will have no impact on air traffic.

d) This project does not have a transportation component and involves no change in use. No impact.

e) There will be no change in emergency access to the property or in use. No impact.

f) There is no public access component to this project. However, staging of construction equipment may temporarily reduce parking at some sites. Less than significant impact.

g) The project does not have a transportation component and will not conflict with any transportation policies. No impact.

XVI. UTILITIES AND SERVICE SYSTEMS.

		POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:					
a)	Exceed wastewater treatment restrictions or standards of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities?	☐	☐	☐	☒
	Would the construction of these facilities cause significant environmental effects?	☐	☐	☐	☒
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities?	☐	☐	☐	☒
	Would the construction of these facilities cause significant environmental effects?	☐	☐	☐	☒
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?	☐	☐	☐	☒
e)	Result in a determination, by the wastewater treatment provider that serves or may serve the project, that it has adequate capacity to service the project's anticipated demand, in addition to the provider's existing commitments?	☐	☐	☐	☒
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g)	Comply with federal, state, and local statutes and regulations as they relate to solid waste?	☐	☐	☐	☒

Discussion

a-e) Water usage for activities performed under RGP 67 will be limited to the needs for workers and washing tools. The project will employ the use of chemical toilets on site if necessary. There will be no change to storm water drainage under the project. No impact.

f) There will be minimal solid waste generated from the project; all solid waste will be removed from the site and deposited in a landfill. Once the project is complete, there will be no change to solid waste disposal needs. Less than significant impact.

g) The project will comply with all applicable regulations relating to solid waste. No impact.

CHAPTER 4
Mandatory Findings of Significance

		POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
WOULD THE PROJECT:					
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal?	☐	☒		☐
b)	Have the potential to eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
c)	Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects, and probably future projects?)	☐	☐	☐	☒
d)	Have environmental effects that will cause substantial adverse effects on humans, either directly or indirectly?	☐	☒	☐	☐

DISCUSSION

a) The proposed project was evaluated for potential significant adverse impacts to water quality and other aspects of the natural environment. The beach nourishment activities undertaken pursuant to RGP 67 could have the potential to cause turbidity and adversely impact the marine environment. Project activities could also impact State and/or federally listed threatened or endangered species and/or EFH. However, the conditions of the RGP, and the full implementation of all mitigation measures would avoid or would reduce those impacts, both individually and cumulatively, to a less than significant level.

b) The proposed project was evaluated for potential significant adverse impacts to cultural resources. It is possible that work proposed in this project would have the potential to cause a significant adverse impact to cultural resources. However, RGP 67 provides that the Corps shall follow the resource management protocols identified in Section 106 of the National Historic Preservation Act of 1966, as amended. This would reduce those impacts, both individually and cumulatively, to a less than significant level.

c) The activities associated with RGP 67 would help reverse negative cumulative impacts that have resulted in sediment deficits and coastal erosion on public beaches. Additionally, impacts from other environmental issues addressed in this evaluation do not overlap in such a way as to result in cumulative impacts that are greater than the sum of the parts. No impact.

d) Most project-related environmental effects have been determined to pose a less than significant impact on humans. However, possible impacts from construction emissions (Air Quality), and construction accidents (Hazards and Hazardous Wastes), though temporary in nature, have the potential to result in significant adverse effects on humans. These potentially significant adverse impacts would be reduced to a less than significant level if all conditions of the RGP and the mitigation measures incorporated into this project are fully implemented.

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CHAPTER 5
Summary of RGP Mitigation Measures

The provisions of the RGP include measures to reduce potential significant adverse environmental impacts to a less than significant level. These measures were outlined in Chapter 2, subsection 2.5.

The following additional mitigation measures would be incorporated as terms of the State Water Board 401 Certification:

AIR QUALITY

MITIGATION MEASURES AIR-1

- All trucks hauling sand or other loose materials would be covered or required to maintain at least two feet of freeboard.
- All equipment engines would be maintained in good condition, in proper tune (according to manufacturer's specifications), and in compliance with all State and federal requirements.
- All operations will be conducted in compliance with County Air Quality Management District requirements.

BIOLOGICAL RESOURCES

MITIGATION MEASURES BIO-1

- Turbidity would be monitored by a qualified observer from a high vantage point (likely lifeguard tower) during each day of construction. The observer would map and photograph the extent of turbidity, and note environmental conditions such as wind, weather, rain events, wave activity, etc. If significant water quality impacts are evident, then the dredging operation will be modified or suspended.

MITIGATION MEASURES BIO-2

- If beach nourishment activities occur between March and August, a qualified monitor will observe the beach for evidence of grunion runs two to three weeks prior to construction during a predicted grunion run (according to the grunion calendar produced by the CDFG), and immediately prior to construction. If grunion are not present during the predicted runs, no further monitoring will occur. If grunion are present, then consultation with CDFG will be required to determine the appropriate measures to avoid any significant impacts on the grunion spawning.

HAZARDS AND HAZARDOUS MATERIALS

MITIGATION MEASURES HAZMAT-1

- All equipment would be inspected for leaks immediately prior to the start of construction, and regularly inspected thereafter until project completion.
- The contractor(s) would prepare a Spill Prevention, Containment and Countermeasures Plan that specifies fueling procedures, equipment maintenance procedures, and containment and cleanup measures to be followed in the event of a spill.

- Equipment would be cleaned and repaired (other than emergency repairs) at least 500 feet from the high tide line of waters of the U.S. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of at a lawfully permitted or authorized designation.

The following measures will also be terms of the Certification:

- Locations of potentially affected ASBSs shall be identified in the SAS and addressed in the MMRP. Discharges of sediment shall not occur directly into an ASBS without approval from a Regional Water Board pursuant to the California Ocean Plan, Section III (E). Turbidity plumes from sediment deposition outside of an ASBS shall not alter natural water quality or harm the marine aquatic life in an ASBS.

- The project shall have no significant negative aesthetic impact on the receiving beach and/or adjacent ocean waters.

- The Corps shall include the Regional Water Boards in the PCN transmittal.

- If special requirements must be enforced to meet water quality objectives, Regional Water Boards shall be able to require project-specific certification.

- Discharges shall comply with applicable provisions of the California Ocean Plan and the Regional Water Board Basin Plans.

- Any violations of the permit conditions shall be reported to the appropriate Regional Water Board within 24 hours.

- One (1) copy of the post-discharge report shall be sent to the Regional Water Board within 30 days after completion of the discharge operations authorized in the RGP.

CHAPTER 6
References and Preparers

6.1 REFERENCES

California Air Resources Board, 2002 ARB Almanac 2002 – chapter 4: Air Basin Trends and Forecasts – Criteria Pollutants

California Native Plant Society (CNPS). 2004. Inventory of Rare and Endangered Plants (online edition, v6-04b). Rare Plant Scientific Advisory Committee. California Native Plant Society, Sacramento, CA. Accessed July 2004 from http://www.cnps.org/inventory

California Natural Diversity Database (CNDDB) Version August 2004. Natural Heritage Division, California Department of Fish and Game, Sacramento, CA.

California Ocean Plan, 2001. State Water Resources Control Board, California Environmental Protection Agency, Sacramento, CA.

California Sediment Management Workgroup, 2004. Coastal Sediment Compatibility and Impact Study, Results from CSMW Task 2: Natural and Anthropogenic Turbidity from http://dbw.ca.gov/CSMW/PDF/Results_From_CSMW_Task2.pdf

Hickman, J. C., ed. 1993. The Jepson Manual: Higher Plants of California. University of California Press, Berkeley.

Mayer, K.E., and W.F. Laudenslayer Jr. 1988. A guide to wildlife habitats of California. California Department of Forestry and Fire Protection, Sacramento, CA.

Sawyer, J. O., and T. Keeler-Wolf., 1995. A Manual of California Vegetation. California Native Plant Society, Sacramento.

U.S. Army Corps of Engineers, Los Angeles District, 2004. Special Public Notice, Proposal for Regional General Permit for Beach Nourishment Projects. Public Notice/Application No. 200401896-JLB. Comment Period, Novermber 8, 2004 to December 22, 2004.

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Appendix A: Agency Letters

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Appendix B: Draft RGP Public Notice

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Appendix C: List of Acronyms

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AAQS	Federal Ambient Air Quality Standard
ASBS	Areas of Special Biological Significance
Certification	401 Water Quality Certification
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CDFG	California Department of Fish and Game
CNDDB	California Natural Diversity Database
CORPS	U.S. Army Corps of Engineers
CWA	Clean Water Act
EFH	Essential Fish Habitat (Magnuson-Stevens Act, 16 U.S.C. 1801 et seq.)
EIR	Environmental Impact Report
Hazmat	Hazardous Material
IS/MND	Initial Study/Mitigated Negative Declaration
ITM	Army Corps of Engineers Inland Testing Manual
LAD	Army Corps of Engineers, Los Angels District
MMRP	Army Corps of Engineers, Regional General Permit 67 Mitigation and Monitoring Reporting Plan
NOAA	National Oceanic and Atmospheric Administration
NOx	Nitrogen Oxide
NTP	Army Corps of Engineers, Regional General Permit 67 Notice to Proceed
PCN	Army Corps of Engineers Regional General Permit 67 Pre-Construction Notification
PRC	Public Resources Code
PM10	Particulate Matter with an aerodynamic diameter of 10 microns or less
RGP	Regional General Permit
ROG	Reactive Organic Gases
RSM	Army Corps of Engineers program for Regional Sediment Management
SAP	Regional General Permit 67 Sampling and Analysis Plan
SAS	Special Aquatic Site
SCB	Southern California Bight California Brown Pelican population
SHPO	State Historic Preservation Office
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service