MINUTE ITEM

This Calendar Item No. 32 was approved as Minute Item No. 32 by the State Lands Commission by a vote of 2 to 0 at its 5/22/86 meeting.

CALENDAR ITEM

32

A 74

S 38

05/22/86
W 23224 PRC 6986
Martinez

DREDGING PERMIT

APPLICANT: City of Oceanside
Attn: Ronald Beckman, City Engineer
320 North Horne Street
Oceanside, California 92054

AREA, TYPE LAND AND LOCATION:
Ungranted sovereign lands at Oceanside Harbor, City of Oceanside, San Diego County.

PROPOSED LAND USE:
Dredge a maximum 400,000 cubic yards of minerals other than oil, gas and geothermal from the entrance and navigation channels at Oceanside Harbor to maintain a navigable channel configuration and assure safe navigation within the harbor.

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

TERMS OF PROPOSED PERMIT:
Initial Period: One year commencing June 1, 1986. No royalty shall be charged for spoils placed at the approved disposal site maintained for public use and benefit.

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

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
P.R.C.: Div. 6, Parts 1 and 2; Div. 14.

Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

OTHER PERTINENT INFORMATION:

1. A Finding of No Significant Impact (FONSI) was prepared and adopted for this project by the U.S. Army, Corps of Engineers. The document was circulated for public review as required by State and local laws, and notice was given meeting the standards in 14 Cal. Adm. Code 15072(a). Therefore, pursuant to 14 Cal. Adm. Code 15225, the staff recommends the use of the Federal FONSI in place of a Negative Declaration.

APPROVALS OBTAINED:
United States Army Corps of Engineers, County Air Pollution Control Disturbance Permit, and California Coastal Commission.

AB 884: 10/17/86.

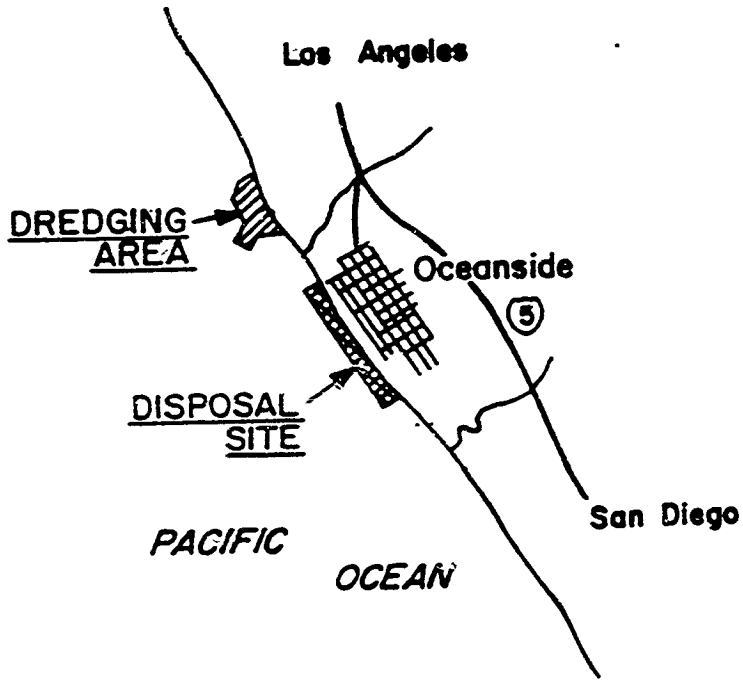
EXHIBITS:
A. Vicinity Map.
B. Site Map.
C. Permit.
D. Environmental Document.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE FINDING OF NO SIGNIFICANT IMPACT PREPARED AND ADOPTED FOR THIS PROJECT BY THE UNITED STATES ARMY CORPS OF ENGINEERS MEETS THE REQUIREMENTS OF THE CEQA AND THEREFORE, PURSUANT TO 14 CAL. ADM. CODE 15225, ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF A NEGATIVE DECLARATION.

2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

3. AUTHORIZE STAFF TO ISSUE TO THE CITY OF OCEANSIDE THE DREDGING PERMIT ON FILE IN THE OFFICES OF THE COMMISSION. SAID PERMIT SHALL AUTHORIZE DREDGING A MAXIMUM 400,000 CUBIC YARDS OF MATERIAL AT OCEANSIDE HARBOR AND DISPOSAL AT THE APPROVED UPLAND SITE. NO ROYALTY SHALL BE CHARGED FOR SPOILS PLACED AT THE APPROVED SITE. A ROYALTY OF $0.25 PER CUBIC YARD SHALL BE CHARGED FOR SPOILS PLACED ON PRIVATE PROPERTY OR SOLD FOR COMMERCIAL BENEFIT. SUCH ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATION ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.



NO SCALE

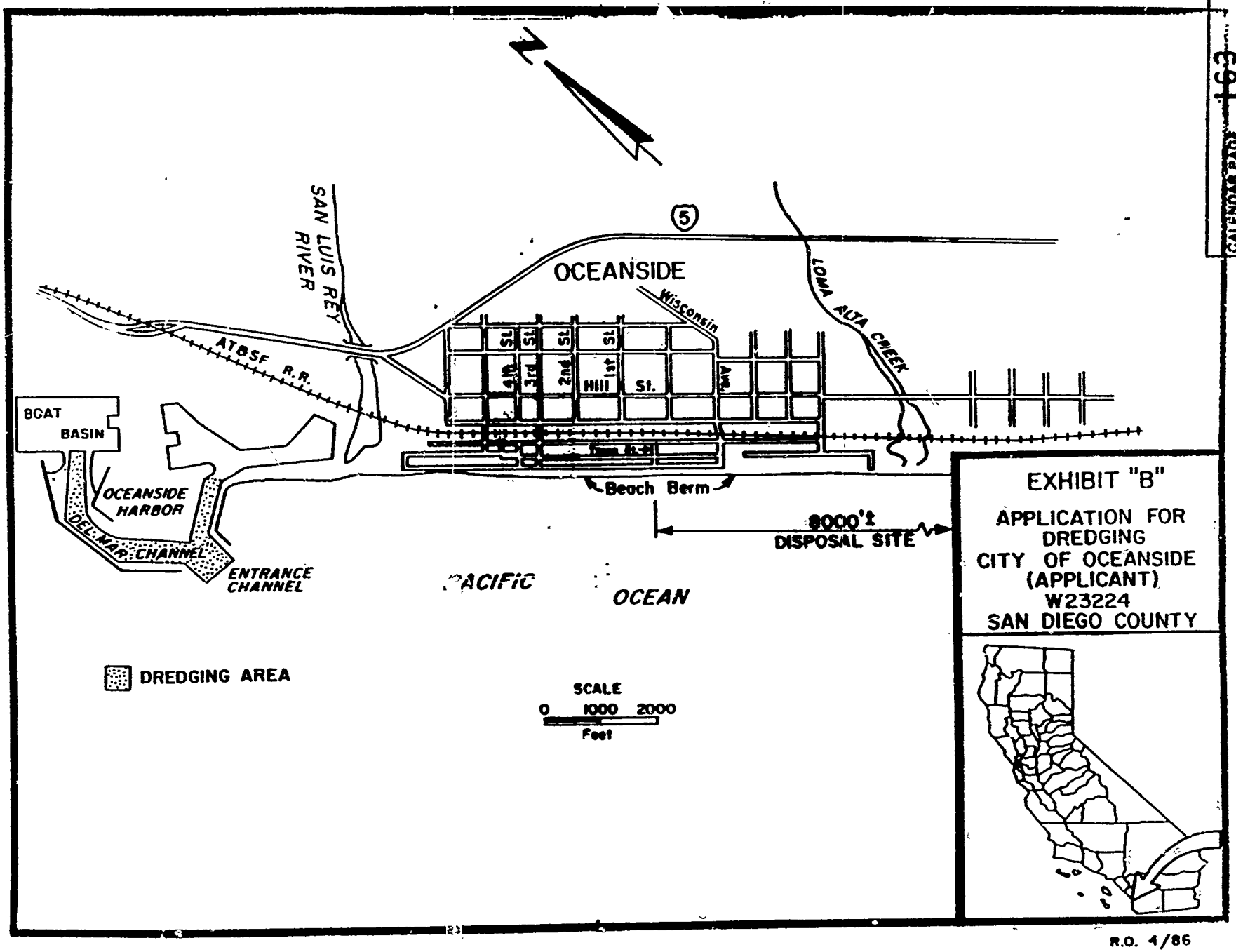
VICINITY MAP

EXHIBIT "A"

APPLICATION FOR DREDGING
CITY OF OCEANSIDE
(APPLICANT)
W23224
SAN DIEGO COUNTY

N

CALENDAR PAGE 162
MINUTE PAGE 1395



CALENDAR PAGE 163
MINUTE PAGE 1336

R.O. 4/86

STATE OF CALIFORNIA

GEORGE DEUKMEJIAN, Governor

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

EXHIBIT "C"

April 21, 1986

File Ref: W 23224

City of Oceanside
320 N. Horne Street
Oceanside, California 92054

Gentlemen:

Pursuant to your application dated April 3, 1986, and by the authorization of the State Lands Commission on May 22, 1986, you are hereby granted permission to dredge, during the term of the permit, a maximum of 400,000 cubic yards of sand, silt, clay, and gravel, excluding all other minerals, including, but not limited to, oil, gas, and geothermal from an area of ungranted sovereign lands at Oceanside Harbor, San Diego County, as designated in Exhibits "A" and "B" attached hereto, which is by this reference expressly made a part hereof. Said permission includes the right to use the dredge spoils for replenishment of the public beach located south of the Oceanside public pier on lands granted to the city of Oceanside.

No royalty shall be paid for material placed at the approved public beach disposal site. A royalty of $0.25 per cubic yard shall be paid for any material used for any private or commercial benefit. Said permission is given on the condition that all dredging and spoils deposition shall be done in accordance with all applicable Federal, State, and local government laws, rules, and regulations. Said permission shall be effective from May 22, 1986 through May 21, 1987.

It is hereby agreed that the operations authorized under this permit shall be performed with diligence, in a good and workmanlike manner, and with the use of due care and safety precautions.

It is further agreed that you shall submit copies of reports or contracts with the dredging operator substantiating the volume of materials dredged and any royalties due to the Commission on a quarterly basis, on forms supplied by the Commission (Form 30.9 NC). It is agreed that you shall submit said forms on or before the fifteenth (15th) day of the month following the end of each permit quarter, together with payment

for the royalty due on the volume removed during that quarter. The first permit quarter shall be the first three months following the effective date of this permit, and every three-month period thereafter shall be a permit quarter.

It is hereby agreed that, pursuant to Public Resources Code Section 6224, any installments of royalty accruing under the provisions of this permit that are not paid when due shall be subject to a five percent (5%) penalty and shall bear interest at the rate of one and one-half percent (1-1/2%) per month from the date when the same was payable by the terms hereof.

It is agreed that you shall furnish the Commission with copies of final surveys or copies of any other computations used as a basis to verify dredge volumes within twenty-five (25) days of completion of the activity authorized hereunder.

It is agreed that you shall indemnify, save harmless and at the option of the State of California, defend said State, its officers, agents and employees, against any and all claims, demands, causes of action, or liability of any kind which may be asserted against or imposed upon the State of California or any of its officers, agents, or employees by any third person or entity, arising out of or connected with the issuance of this permit, operations hereunder, or the use by you or your agents, employees or contractors, of th above-described lands.

Without limiting the generality of the foregoing, such indemnification shall include any claim, demand, cause of action or liability of any kind asserted against or impounded upon the State of California or any of its officers, agents or employees, arising out of or connected with any alleged or actual violation by you, your agents, employees or contractors of the property or contractual rights of any third persons or entity. It is agreed that you shall, at the option of the Commission, procure and maintain liability insurance for the benefit of the State in an amount satisfactory to the Commission.

You agree to comply with the terms and conditions hereof, and you further agree that any violation thereof shall constitute grounds for termination of this permit and shall allow the Commission to pursue any other remedy available to it under the law. It is further agreed that this permit may be suspended, modified, or terminated, whenever the State Lands Commission deems such action to be in the best interests of the State, and that no such action by the Commission shall be

deemed to be a basis for any claim or cause of action for damages against the State or any officer, employee or agency thereof.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

_____
W. M. THOMPSON, Chief
Extractive Development Program

_____
DATE

ACCEPTED:

By: _____

TITLE: _____

DATE: _____

Mailed in Triplicate

Attachment: EXHIBIT "A"

06251

EXHIBIT "D"

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT CORPS OF ENGINEERS
ENVIRONMENTAL ASSESSMENT

OCEANSIDE HARBOR
MAINTENANCE DREDGING
SAN DIEGO COUNTY, CALIFORNIA

January, 1986

Prepared by:

MICHAEL D. NOAH
Ecologist, Environmental Section

Reviewed by:

TERRY BREYMAN
Acting Chief, Environmental Section

Approved by:

DENNIS F. BUTLER
Colonel, CE
District Engineer

DATE

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT CORPS OF ENGINEERS
FINDING OF NO SIGNIFICANT IMPACT
OCEANSIDE HARBOR MAINTENANCE DREDGING
SAN DIEGO COUNTY, CALIFORNIA

I have reviewed the attached environmental assessment prepared for the proposed maintenance dredging of Oceanside Harbor, San Diego County, California. The proposed project includes the dredging of approximately 400,000 cubic yards of littoral drift material from the entrance and navigational channels in order to maintain authorized channel configurations and assure continued safe navigability within the harbor (Figure 1). All dredge material will be discharged on the beaches of Oceanside south of the Oceanside Pier. The dredging activities will be accomplished through the use of a hydraulic dredge and scheduled from April 1986 to July 1986.

Significant resources potentially affected by the proposed project include marine ecological and land resources. These impacts have been minimized due to the environmental constraints and special conditions outlined in the attached environmental assessment. I have considered the available information contained in the assessment and it is my determination that the impacts resulting from the proposed project will not have a significant effect on the existing environment or the quality of the human environment. Therefore, preparation of an Environmental Impact Statement (EIS) is not required.

DATE

DENNIS F. BUTLER
Colonel, CE
District Engineer

TABLE OF CONTENTS

I. INTRODUCTION 5

II. PROPOSED ACTION 5
- A. BACKGROUND 5
- B. PROJECT DESCRIPTION 5
- C. PURPOSE OF PROPOSED ACTION 6
- D. ALTERNATIVES 6
  - No Project 6
  - 1. Ocean Dumping 6
  - 2. Downcoast Dikes 6
  - 3. River Dikes 6
  - 4. Other Alternatives 7

III. AFFECTED ENVIRONMENT 7
- A. BIOLOGICAL ENVIRONMENT IN THE HARBOR 7
- B. BIOLOGICAL ENVIRONMENT AT DISCHARGE SITE 7
- C. THREATENED AND ENDANGERED SPECIES 10
  - 1. California Brown Pelican 10
  - 2. California Least Tern 10
- D. AIR AND NOISE QUALITY 11
- E. LAND USE AND RECREATION 11
- F. AESTHETICS 11
- G. CULTURAL RESOURCES 11

IV. ENVIRONMENTAL IMPACTS 11
- A. BIOLOGICAL RESOURCES AND MARINE ENVIRONMENT 11
- B. GRUNION 12
- C. THREATENED AND ENDANGERED SPECIES 13
  - 1. California Least Tern 13
  - 2. California Brown Pelican 13
- F. AESTHETICS 14
- G. CULTURAL RESOURCES 14

V. COORDINATION 14

VI. COMPLIANCE WITH ENVIRONMENTAL REQUIREMENTS 14
- A. CLEAN WATER ACT - SECTION 404(b)(1) GUIDELINES 14
- B. COASTAL ZONE MANAGEMENT ACT OF 1972 14
- C. SECTION 7(c), ENDANGERED SPECIES ACT OF 1972 15
- D. NATIONAL HISTORIC PRESERVATION ACT OF 1966 15
- E. OTHER APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS . . . 15

TABLES

TABLE 1. Invertebrate macrofauna characteristic of the Oceanside and Camp Pendleton Harbors. 8

TABLE 2. Fish fauna characteristic of trawl and gill net collections from the Oceanside and Camp Pendleton Harbors. 8

TABLE 3. Avifauna characteristic of the Oceanside and Camp Pendleton Harbors. 9

TABLE 4. Invertebrate macrofauna characteristic of the nearshore intertidal region of Oceanside Beach. 9

TABLE 5. Fish fauna characteristic of trawl and gill net collections from the nearshore subtidal region of Oceanside Beach. 9

TABLE 6. Avifauna characteristic of sandy beaches such as those occurring at Oceanside Beach. 10

I. INTRODUCTION: The Los Angeles District Corps of Engineers, as a part of the periodic maintenance program, proposes to perform maintenance dredging in the entrance and navigation channels in the Oceanside Harbor, located at Oceanside, County of San Diego, California. The dredged material will be discharged by pipeline on a disposal site located south of the Oceanside Public Pier.

II. PROPOSED ACTION:

A. BACKGROUND: Between 1942 and 1958, the U.S. Navy constructed the entrance groin and north breakwater of the Del Mar Boat Basin. The south jetty and north groin of the harbor was constructed by the Corps between 1961 and 1962. The south groin of the San Luis Rey River was constructed by the City of Oceanside in 1961. The Federal dredging of the harbors was authorized by the River and Harbor Act of 1965 (House Document 76, PL89-298 dated 27 October 1965). The Corps extended the harbor's south jetty by 375 feet and the south groin by 500 feet, and sealed the harbor's south jetty in August 1968.

The beaches along southern California are characteristically dynamic in nature, with constant and continual longshore transport processes in action at all times. Sediment that is removed via this longshore erosional process is transported to an adjacent beach to the south, and is normally replenished with like sediment eroded from the adjacent beach to the north. Although giving the illusion of a stationary beach, the actual sediment is in a state of constant movement. The Oceanside Harbor, however, appears to be acting as an interceptor of this longshore transport of sediment destined to replenish the Oceanside beach, causing shoaling of the harbor and the subsequent erosion of the recreational beaches downcoast due to the interception of the littoral deposition destined for these beaches.

The U.S. Army Corps of Engineers, Los Angeles District, is required to maintain adequate depths for safe navigation in the Oceanside Harbor, San Diego County, California. The harbor entrance and navigation channels have routinely developed shoal areas which either severely restrict or endanger navigation. For the past 20 years, the Corps has dredged both the harbor entrance and navigation channels approximately every 1.5 to 2 years, with the dredged material placed on the beach at Oceanside. The recurring need for maintenance dredging and disposal, coupled with the continuing need for beach nourishment of the beaches south of Oceanside Harbor has resulted in the congressional authorization to design, construct, and monitor the Experimental Sand Bypass Project currently under construction (page 53 of House Appropriations Committee Report 97-177 on the Energy and Water Development Appropriation Act for 1982, Public Law 97-88).

B. PROJECT DESCRIPTION: The proposed project involves the removal, by hydraulic dredge, of littoral drift material deposited in the entrance and navigational channels of the Oceanside and Camp Pendleton Harbor vicinity. Oceanside Harbor and Camp Pendleton Harbor (Del Mar Boat Basin) are located together on the city limits north of the City of

Oceanside and south of Camp Pendleton Marine Corps Base, located in San Diego County approximately 35 miles north of San Diego, California (Figure 1). The proposed maintenance dredging project in Oceanside Harbor includes dredging approximately 400,000 cubic yards of littoral drift material from the entrance and navigational channels in order to maintain authorized channel configurations and assure safe navigation within the harbor (Figure 2). Historical maintenance dredging of Oceanside Harbor (Table 1) indicates the sediment is predominately fine sand that is beach compatible. Dredged material will be discharged by pipeline onto the beach south of the Oceanside Public Pier in an area bounded by Third Street on the north and extending approximately 5,500 feet south. At the time of the preparation of this document, the proposed disposal site has been severely eroded, with high tides extending to the protective rock revetment adjacent to Strand Blvd., a one-way street running parallel to the beach in front of beachfront properties.

C. PURPOSE OF PROPOSED ACTION: The proposed maintenance dredging activities within Oceanside Harbor serve a three-fold purpose: (1) maintenance of authorized channel configurations within the harbor that are periodically filled in by the accumulation of sediment; (2) assurance of continued safe navigation of harbor crafts; and (3) provide beach nourishment materials for a beach severely eroded by littoral processes.

D. ALTERNATIVES: Project" alternative of not dredging would result in continued shoaling of the harbor, making navigation unsafe and, in time, impossible. If the harbor entrance and navigational channels are not maintained at safe depths, there is high potential for danger to life and property. The Experimental Sand Bypass Project, though projected to begin bypassing operations in June 1986, has the capacity only to maintain the entrance and navigational channels at authorized depths, not the capacity to overcome an initial sediment load of 400,000 cubic yards of material immediately upon startup. The "no project" alternative would, therefore, be rejected for these reasons. There are alternatives, however, to the disposal of the sandy material dredged from Oceanside Harbor. These include the following:

1. Ocean Dumping. The material could be discharged at an approved EPA ocean dumping site. This alternative would eliminate all impacts at the beach disposal site; however, it would be considerably more costly and undesirable since the material could not be used to replenish the severely eroded beach to the south.

2. Downcoast Dikes. The material could be discharged behind constructed dikes on the beach south of the Oceanside Public Pier. Since at the time of the preparation of this document, the beach south of the pier has been eroded to such a point that would make even the construction of the dike unfeasible, particularly considering the volume of dredge material this structure would be required to contain. In addition, this alternative would be more costly due to additional costs incurred from dike construction.

3. River Dikes. The material could be discharged at the mouth of the San Luis Rey River, north of the Oceanside Public Pier. This alternative would have several reasons for rejection: (1) it would defeat the ability of the Biological Monitoring Program to detect impacts attributable to the Experimental Sand Bypass Project relative to those of more conventional dredging activities such as those proposed in this document, (2) may result in unmitigative loss of least tern habitat and other salt marsh habitat that now exists at the San Luis Rey River mouth, and (3) be more costly due to the need to construct dikes to avoid the sudden influx of material into the intertidal (a condition specifically prohibited in previous dredging activities).

4. Other Alternatives. Various other alternatives for disposal of dredged material, such as land disposal and the creation of islands or wetlands, have been considered. However, none of these alternatives were found to be feasible or appropriate replacements to the proposed action due to prohibitive costs, physical restrictions, potential impacts, and the fact that Oceanside Beach would not receive needed replenishment with sand.

III. AFFECTED ENVIRONMENT:

A. BIOLOGICAL ENVIRONMENT IN THE HARBOR: The project dredge area supports a relatively diverse assemblage of flora and fauna that is indicative of both soft-bottom and rocky habitats. The degree of exposure to oceanic forces and the available substrate, however, strongly influence the flora and fauna of any coastal area. In the case of Oceanside Harbor, these communities would be typical of low to moderate energy environments. Characteristic or common species are listed in Tables 1, 2, and 3.

B. BIOLOGICAL ENVIRONMENT AT DISCHARGE SITE: The proposed dredge discharge location, the beach between Third Street and just south of Wisconsin Street, has been investigated by Corps biologists between 1976 and 1985 as part of the Corps of Engineers beach nourishment operations, previous dredging operations, and during baseline surveys for the Experimental Sand Bypass Project's Biological Monitoring Program. The results of these studies are on file in the Los Angeles District Office. The benthic invertebrate community in this area has been repeatedly disturbed by both beach nourishment and maintenance dredging activities. Quantitative studies of this and other nearshore subtidal benthic infaunal assemblages under similar conditions indicate that recolonization following cessation of discharge activities occurs within 1 to 2 years. Characteristic or common species are listed in Tables 4, 5, and 6.

CALENDAR PAGE 173
MINUTE PAGE 1406

TABLE 1. Invertebrate macrofauna characteristic of the Oceanside and Camp Pendleton Harbors.

Scientific Name	Common Name
Apocorionospio pygmaeus	Spionod
Nephtys californiensis	Nephtyid
Paraphoxus epistomus	Amphipod
Dendraster excentricus	Sand dollar
Mandibulophoxus unicirostratus	Amphipod
Mysella golischi	Veneroid clam
Donax gouldii	Bean clam
Nemertea spp.	Ribbon worm
Typosyllis armillais	Syllid
Goniada littorea	Goniadid
Lumbrineridae minima	Lumbrinerid
Haploscoloplos elongatus	Orbiniid
Spiophanes bombyx	Spionid
Magelona californica	Magelonid
Mediomastus californiensis	Capitellid
Eucnone limnicola	Feather duster worm
Diastylopis tenuis	Cumacean
Eunaustorius washingtonanus	Amphipod
Phoxocephalidae epistomun	Amphipod
Entosynapta albicans	Sea cucumber

TABLE 2. Fish fauna characteristic of trawl and gill net collections from the Oceanside and Camp Pendleton Harbors.

Scientific Name	Common Name
Atherinops affinis	Top smelt
Amphistichus argenteus	Barred surfperch
Menticirrus undulatus	California corbina
Seriphus politus	Queenfish
Roncador stearnsi	Spotfin croaker
Hyperprosopon argenteum	Walleye surfperch
Engraulis mordax	Northern anchovy
Cymatogaster aggregata	Shiner surfperch

CALENDAR PAGE 174
MINUTE PAGE 1407

TABLE 3. Avifauna characteristic of the Oceanside and Camp Pendleton Harbors.

Scientific Name	Common Name
Aechmophorus occidentalis	Western grebe
Podiceps auritus	Horned grebe
Oiduceos caspious	Eared grebe
Phalacrocorax penicillatus	Brandts cormorant
Phalacrocorax auritus	Double-crested cormorant
Bucephala clangula	Bufflehead
Oidemia nigra	Common scoter
Melanitta degland	White winged scoter
Melanitta persicillata	Surf scoter
Larus occidentalis	Western gull
Larus argentatus	Herring gull
Larus canus	Mew gull
Larus heermanni	Heermanns gull
Larus philadelphia	Bonapartes gull
Larus californicus	California gull
Larus delawarerisis	Ring-rilled gull
Hydroprogne caspia	Caspian tern
Sterna antillarum browni	California least tern[1]
Pelecanus occidentalis californicus	California brown pelican[2]

TABLE 4. Invertebrate macrofauna characteristic of the nearshore intertidal region of Oceanside Beach.

Scientific Name	Common Name
Apophionospio pygmaeus	Spionod
Dendraster excentricus	Sand dollar
Mandibulophoxus unicirostratus	Amphipod
Donax gouldii	Bean clam
Nemertea spp.	Ribbon worm

TABLE 5. Fish fauna characteristic of trawl and gill net collections from the nearshore subtidal region of Oceanside Beach.

Scientific Name	Common Name
Atherinops affinis	Top smelt
Amphistichus argenteus	Barred surfperch
Menticirrus undulatus	California corbina
Seriphus politus	Queenfish

[1] On State and Federal lists of rare or endangered species.

[2] On State and Federal lists of rare or endangered species

CALENDAR PAGE 175
MINUTE PAGE 1408

Roncador stearnsi	Spotfin croaker
Hyperprosopon argenteum	Walleye surfperch
Engraulis mordax	Northern anchovy
Cymatogaster agregata	Shiner surfperch
Leurestnes tenuis	Grunion

TABLE 6. Avifauna characteristic of sandy beaches such as those occurring at Oceanside Beach.

Scientific Name	Common Name
Charadrius vociferus	Kill deer
Numenius phaeopus	Whimbrel
Catoptrophorus semipalmatus	Willet
Limnodromus scolopaceus	Longbilled dowitcher
Heteroscelus incanum	Wandering tattler
Erolia minutilla	Least sandpiper
Erolia alpina	Dunlin
Crocetnia alba	Sanderling

C. THREATENED AND ENDANGERED SPECIES: There are two bird species, designated as endangered by the state (California Department of Fish and Game) and Federal Government (U.S. Fish and Wildlife Service), which are known or likely to occur in the nearshore waters of the project area - the California brown pelican and California least tern.

1. California Brown Pelican - (Pelicanus occidentalis californicus). The brown pelican is a year-round resident of most of the southern California coastline. It is most abundant on the mainland coast during August to November; breeding occurs on several California offshore islands during June to October. The brown pelican primarily forages on surface-feeding fish in the nearshore waters. The species is often very tolerant of human activity and readily utilizes various shoreline structures such as piers, breakwaters, groins and buoys for roosting. The brown pelican is relatively common in the nearshore waters of the project area, particularly when schools of suitable fish prey species are present. It usually forages in waters greater than one mile from the coast, but may occasionally roost on the buoys, rock groins and jetties in the nearshore waters of the project area. Activities of the brown pelican in these waters are restricted to feeding, overflying, or temporary resting.

2. California Least Tern - (Sterna antillarum browni). Historical records of least terns establishing nests in or directly adjacent to the project area beaches have been documented. The least tern is a migratory bird that occurs along the coast of southern California from April to August. During this time, the birds establish breeding colonies at specific locations along the coastline and produce young fledglings.

CALENDAR PAGE 176
MINUTE PAGE 1409

Breeding habitats consist of unvegetated, open, sandy areas, usually protected from predators and humans by measures instituted by the California Department of Fish and Game. The least tern feeds primarily on northern anchovies in nearshore waters and estuaries near the breeding colonies.

D. AIR AND NOISE QUALITY: Air quality is determined primarily by meterological conditions, the type and amount of pollutants emitted, and their subsequent dispersion into the atmosphere. The air quality in the Oceanside area varies seasonally and occasionally pollutants exceed Federal and State levels. The major source of air pollution in the project area is the automobile, followed by recreational facilities and related vehicles (boats, campers, etc.), and then followed by military activities originating from Camp Pendleton Marine Base located 2 to 3 miles away. In addition, these sources contribute to the ambient noise environment at Oceanside Harbor and Oceanside Beach. Both air quality and noise levels tend to increase during heavy recreational summer utilization.

E. LAND USE AND RECREATION: Oceanside Harbor and Oceanside Beach are important recreational resources for the regional and local area. The Oceanside Harbor complex includes administration facilities, marina center, resort hotel, parking areas, public launch ramp, sportfishing center, boat repair yard, numerous restaurants and marine hardware stores. The harbor's open-water area provides for channels, turning basins, and mooring areas. In addition, Oceanside shares the outer harbor with Camp Pendleton, which utilizes the harbor for the mooring of military landing craft, amphibious vehicles, and small power and sail craft operated by base recreational concerns.

Fishing, boating, jet skiing, hiking, bicycle riding, surfing, swimming, photography, and bird-watching are important recreational activities in the area.

F. AESTHETICS: The aesthetic character of Oceanside Harbor, Oceanside Beach, and immediate vicinity is primarily comprised of public and commercial water-oriented recreational facilities. The scenic and visual resources of the project area are dominated by the harbor, marina, beach, and nearshore recreational facilities.

G. CULTURAL RESOURCES: There are no archaeological or historic sites reported in the proposed dredging areas within Oceanside Harbor or the discharge sites at Oceanside Beach.

IV. <u>ENVIRONMENTAL IMPACTS</u>:

A. BIOLOGICAL RESOURCES AND MARINE ENVIRONMENT: Temporary physical and chemical changes in water quality characteristics may result due to resuspension of bottom sediments during dredging activities. Any contaminants present could become ecologically active upon disturbance by these activities. Due to the lack of large amounts of pollutants in the area and the grain size of the material, the effects of these

CALENDAR PAGE 177
MINUTE PAGE 1410

activities are expected to be minimal if not absent. Additional dredging impacts may include temporary increases in turbidity and suspended solids levels along with the associated decreases in dissolved oxygen. These conditions in the water column may contribute to a decrease in light penetration and cause a general decline in aquatic primary productivity due to a loss of phytoplankton populations. Any appreciable turbidity increase may cause clogging of respiratory and feeding apparatuses of fish and filter feeders. Motile organisms, however, would evacuate and avoid the dredging area and relocate to an undisturbed area. The use of a hydraulic dredge would confine most of the impacts to the immediate vicinity of the dredging activities. The proposed dredging and disposal project is not expected to cause significant changes in water quality since it must adhere to the requirements and controls set forth by the California Regional Water Quality Control Board.

The benthic flora and fauna within the immediate project area would be eliminated by the dredging activities due to site excavation and substrate removal. Again, the benthic infaunal organisms potentially affected by these activities are listed in Table 1. The areas dredged would be devoid of the species originally comprising the benthic fauna, allowing for immediate recolonization by these invasive organisms. The planktonic stage of these organism's life cycles will contribute greatly to the recolonization, as well as contributions by the migration of juvenile and adult individuals from adjacent undisturbed areas. Benthic habitat loss would, therefore, be short-term, as recovery and recolonization of the benthic infauna would be expected to begin immediately upon completion of the dredging activities.

The potential biological and physical effects of using dredged material for beach replenishment include coverage and disturbance of macrobenthic fauna, and temporary turbidity increase within the beach replenishment areas. Some fish may also avoid the immediate disposal area due to increases in suspended sediments. Other fish and avian species may be attracted to the area to feed on mollusks, crustaceans, and other organisms which may have been caught up in the dredged material. Recovery within the benthic community is expected to be rapid and complete, and turbidity levels are anticipated to subside upon completion of the beach replenishment operations.

B. GRUNION: The California grunion (Leuresthes tenuis), a member of the silversides family (Atherinidae), occasionally utilizes the beaches in the Oceanside and Camp Pendleton area for spawning from March through August. Potential impacts of the disposal of dredged material during the grunion spawning season would include eggs washed prematurely out to sea by the sand slurry, and the burial of eggs so deep so as to not allow successful hatching and the subsequent return to the sea during the upcoming high tides. Although scheduling of dredging activities is March to July 1986, the potential effects on this species are expected to be minimal due to the current physical condition of the beaches in the Oceanside area. Prior to the winter storms of the 1985-1986 season, Corps biologists surveyed the beach

CALENDAR PAGE 178
MINUTE PAGE 1411

during high tides and found there to be little to no beach existing above Mean Higher High Water (MHHW). Waves even at this time of year were washing up to the rock revetment emplaced along Strand Blvd. to protect shorefront properties from damage during the winter storms. It is expected that any existing beach following the upcoming winter storms of 1985-1986, will be unsuitable for successful grunion spawning, as further erosion of these beaches will undoubtably occur. On the contrary, the reconstruction of a sandy beach would benefit the grunion by actually restoring enough of a sandy beach so as to allow at least some successful grunion spawning to occur between completion of construction and the end of the spawning season. In the absence of severe winter storms of 1986-1987, this same beach nourishment material will most probably be in place and in sufficient elevations, so as to allow successful spawning runs for grunion in 1987.

C. THREATENED AND ENDANGERED SPECIES: The following endangered species inhabit the vicinity of the proposed project: California least tern (Sterna antillarum browni) and California brown pelican (Pelecanus occidentalis californicus).

1. California Least Tern. Colonies of least terns are known to have nested within the salt marshes comprising the mouth of the Santa Margarita River 3 to 5 miles north of (and subsequently outside of) the proposed project area. The least tern has, however, been known to occasionally utilize the harbor for foraging, and may therefore be temporarily displaced during dredging operations. Any construction activities at the mouth of the San Luis Rey River may also result in temporary loss of tern habitat in that area. Given the localized nature of the project, the distance from the nearest known nesting sites, no expectation of construction activities at the mouth of the San Luis Rey River, and ample tern foraging habitat in the nearby marsh areas at the mouth of the Santa Margarita River, impacts to the least tern as a result of this project are expected to be insignificant.

2. California Brown Pelican. The brown pelican is often present in the Oceanside Harbor and beach area, especially between August and November. Since this species is highly tolerant of human activities in general, and its activities at Oceanside are confined to foraging and resting, not breeding, the dredging activities should not significantly affect this species.

D. AIR AND NOISE QUALITY: Although the actual equipment to be used for dredging activities in not known at the time of the preparation of this document, a worst case will be presumed (4000 horsepower diesel-powered hydraulic dredge). The proposed dredging activities in Oceanside Harbor are subject to Federal, State, and County air quality regulations and standards. Emissions from dredging equipment, dust, and debris from construction activities would cause minor adverse impacts on air quality for a short duration. However, the overall impact of the project's construction emissions on local ambient air quality is not expected to be significant, particularly in view of the

proliferation of diesel-powered military equipment employed by Camp Pendleton Marine Corps Base.

In addition, the proposed project in Oceanside Harbor is located in an area of many established and varied noise sources (automobiles, harbor craft, military helicopters and heavy equipment). Insignificant increases in ambient noise levels due to project-generated construction and operational noise would occur as a result of dredging activities. Both air quality and noise levels would return to ambient conditions upon project completion.

E. LAND USE AND RECREATION: Modifications to the existing bottom topography will be expected as a result of the proposed dredging of the harbor. Minor and local changes to the bathymetry will result due to relocation of marine sediments. In addition, physiographic and topographic changes to the existing land forms will occur from the activities associated with the disposal of dredged materials on Oceanside Beach. The potential impacts of the proposed activities affecting the existing land use will be localized to the immediate project vicinity and considered minor in nature. The environmental impact and disturbance to recreational-related activities due to project construction are expected to be minimal.

F. AESTHETICS: The aesthetic qualities of the project area would not be significantly impaired as a result of the proposed project. In fact, the visual resources of the area (primarily Oceanside Beach) would be substantially improved.

G. CULTURAL RESOURCES: The Oceanside coastline has been previously surveyed for cultural resources by a Corps archaeologist in 1982. The proposed activity is not near any sites that are included in, or have been determined eligible for inclusion in, the National Register of Historic Places or the National Registry of Natural Landmarks.

V. COORDINATION:

The principle agencies with which this project will be coordinated with include: U.S. Fish and Wildlife Service, National Marine Fisheries Service, Environmental Protection Agency, California Coastal Commission, California Department of Fish and Game, California State Resources Agency, and the California Regional Water Quality Control Board (Los Angeles Region).

VI. COMPLIANCE WITH ENVIRONMENTAL REQUIREMENTS:

A. CLEAN WATER ACT - SECTION 404(b)(1) GUIDELINES: The proposed project complies with the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the Clean Water Act (33 USC 1344) (see Technical Appendix A).

B. COASTAL ZONE MANAGEMENT ACT OF 1972: The proposed project activities have been reviewed by the Corps and determined to be

CALENDAR PAGE 180
MINUTE PAGE 1413

consistent with the California Coastal Act to the maximum extent practicable as required by the Coastal Zone Management Act of 1972. Dredging of Oceanside Harbor is exempt from requirements for consistency review since it is maintenance dredging of an existing navigation channel. However, a consistency determination is required for disposal of dredged material since the proposed operation could have an effect on resources in the coastal zone. The Corps has prepared a consistency determination for disposal of dredged material on Oceanside Beach. The consistency determination concluded that the proposed project is consistent to the maximum extent practicable with the California Coastal Act of 1976 (see Technical Appendix B).

C. SECTION 7(c), ENDANGERED SPECIES ACT OF 1972: Since none of the above endangered species would be significantly impacted by the proposed activities, formal consultation pursuant to Section 7(c) of the Endangered Species Act of 1973 (87 Stat 844) with the U.S. Fish and Wildlife Service is not required.

D. NATIONAL HISTORIC PRESERVATION ACT OF 1966:

E. OTHER APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS: The proposed project has been reviewed and determined to be in compliance with the following applicable laws and regulations:

1. National Environmental Policy Act
2. Fish and Wildlife Coordination Act

VII. CONCLUSION

A review of this environmental assessment and coordination with appropriate public agencies indicates that the proposed activity will not have a significant impact upon the existing or the quality of the human environment.