

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400

RECORD PACKET COPY

**Tu 24b****STAFF RECOMMENDATION**
ON CONSISTENCY DETERMINATION

Consistency Determination No. CD-046-02
Staff: LJS-SF
File Date: 6/26/02
60th Day: 8/25/02
75th Day: 9/9/02
Commission Meeting: 8/24/02

FEDERAL AGENCY: U.S. Army Corps of Engineers**PROJECT LOCATION:** Imperial Beach and offshore sand borrow sites, San Diego County (Exhibit 1).**PROJECT DESCRIPTION:** Beach nourishment by placing 2.2 million cu.yds. of dredged sand along 7,100 feet of shoreline to provide an initial beach width of 148 feet and a minimum beach width of 82 feet after 10 years, with additional nourishment of one million cu.yds. of dredged sand every 10 years over the 50-year project period.**SUBSTANTIVE FILE DOCUMENTS:**

1. Appeal No. 135-81 (City of Imperial Beach).
2. Permit Extension No. A-135-31-E (City of Imperial Beach)
3. Court Ordered Remand of Appeal No. 135-81 (City of Imperial Beach)

EXECUTIVE SUMMARY

The Corps of Engineers has submitted a consistency determination for a 50-year beach nourishment program along a 7,100 foot-long stretch of beach in Imperial Beach in San Diego

County. The Corps proposes to construct an initial beach fill using 2.2 million cu.yds. of clean, sandy material dredged from two offshore borrow sites to create a minimum beach width of 82 feet seaward to an elevation of +13 feet. Following this initial nourishment, the shoreline would be renourished with an additional one million cu.yds. of sand every ten years over the 50-year project period. The project is necessary to protect existing structures, utilities, and public recreational activities along this shoreline, and is consistent with the dredging and filling, water quality, marine resource, and public access and recreation policies (Sections 30230, 30231, 30233, 30210-13, and 30220) of the Coastal Act.

STAFF SUMMARY AND RECOMMENDATION:

I. Project Description.

The Corps of Engineers proposes to nourish an approximately 7,100-foot-long stretch of beach in Imperial Beach in southern San Diego County (Exhibits 1-3). At this location, the current summer beach width is 50 feet and there is essentially no winter beach. Beach erosion occurs at a rate of 100,000 cu.yds. per year, and approximately 90 residences, apartments, condominiums, and commercial structures, as well as public utilities and U.S. Naval Communications Station facilities, are at risk from storm damage. In addition, the loss of sandy beach adversely affects beach recreational activities that support the local economy. As a result, the Corps proposes the following beach nourishment program:

- Construct an initial beach fill using 2.2 million cu.yds of suitable beach sand; 7,100 feet of sand would be placed from the existing northern groin to the end of the study area's boundary. It would provide a minimum beach width of 82 feet seaward to an elevation of +13 feet. Following this initial nourishment, the shoreline would be renourished with an additional one million cu.yds of fill every ten years over the 50-year project period.
- Two offshore borrow sites will supply the beach sand: Area "A" is located 1.2 miles northwest of the Imperial Beach pier and Area "B" is located 2.8 miles southwest of the pier. Throughout the life of the project, both of these areas would be used, sometimes individually and sometimes in tandem. Beach sand from the offshore borrow sites would be obtained by dredging with a stationary hydraulic pipeline dredge or a hopper dredge. Onshore, four bulldozers would operate on the beach to manipulate the dredged sand. Work on the beach would occur between the hours of 7 a.m. and 7 p.m. Monday through Saturday for four to six months, while dredging offshore would occur 24 hours per day, seven days per week. Subsequent beach nourishments would require similar time commitments.

The Corps estimates that the project construction will take between four and six months and hopes to initiate construction in November 2003. This schedule will avoid impacts to California grunion spawning and California least tern and western snowy plover nesting that occur during the April to September time period in and adjacent to the project site.

II. Federal Agency's Consistency Determination.

The Corps of Engineers has determined the proposed project consistent to the maximum extent practicable with the California Coastal Management Program.

III. Staff Recommendation.

The staff recommends that the Commission adopt the following motion:

MOTION: I move that the Commission **concur** with consistency determination CD-046-02 that the project described therein is fully consistent, and thus is consistent to the maximum extent practicable, with the enforceable policies of the California Coastal Management Program (CCMP).

Staff Recommendation:

The staff recommends a **YES** vote on the motion. Passage of this motion will result in a concurrence with the determination and adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners present is required to pass the motion.

Resolution to Concur with Consistency Determination:

The Commission hereby **concurs** with the consistency determination by the Corps of Engineers, on the grounds that the project described therein is fully consistent, and thus is consistent to the maximum extent practicable, with the enforceable policies of the CCMP.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Marine Resources. The Coastal Act provides the following:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the

protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

...

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

...

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.

The proposed project involves dredging and filling within coastal waters and therefore triggers the three-part test of Section 30233(a): (1) the project must be one of the eight enumerated allowable uses; (2) the project must be the least damaging feasible alternative; and (3) the project must include feasible mitigation measures to minimize adverse environmental effects. The proposed beach nourishment project is an allowable use under Section 30233(a)(6). The project will place only clean, grain-size compatible sand on the receiver beach, dredged from adjacent offshore borrow sites with adequate volumes of sand such that removal will not generate adverse effects on coastal processes. In addition to the proposed beach nourishment project, the Corps of Engineers examined numerous alternative projects for shoreline protection in this area:

- Construction of five offshore detached breakwaters with beach nourishment.
- Construction of seven new groins and expansion of two existing groins with beach nourishment.
- Construction of a 3,100-foot-long revetment from the existing northern groin to the existing revetment near Imperial Beach Blvd.

- Construction of the above revetment and raising the crest of the existing revetment.
- Construction of a 3,100-foot-long seawall from the existing northern groin to the existing revetment.

Given that the identified alternatives to beach nourishment all involve significant armoring of the shoreline or permanent alteration of the nearshore zone with groins or breakwaters, and that these alternatives hold the potential for significant adverse effects on shoreline processes and public recreation, the Commission determines that beach nourishment using suitable dredged materials represents the least damaging feasible alternative, and that the proposed project meets the alternative test of Section 30233(a).

Dredging and disposal affect water quality and marine habitat and resources temporarily through turbidity, increases in suspended solids, and decreases in dissolved oxygen and light penetration. However, these impacts are temporary and usually considered insignificant, especially when the material is predominately sand. The relatively mobile species affected are able to recolonize temporarily disturbed areas after project completion. For this reason, when dredging projects involve uncontaminated sandy material, the Commission has not determined mitigation to be necessary for turbidity and smothering effects from dredging and disposal. When such projects are scheduled to avoid periods where they could adversely affect least terns, snowy plovers, and grunions, the Commission has found that no further mitigation measures are necessary.

The proposed project (which includes the initial beach nourishment and all subsequent 10-year nourishments) is scheduled to occur outside the sensitive period of April 1 to September 15. In addition, sediments sampled at the north borrow pit contained approximately 80 to 90 percent sands, and sediments sampled at the southern borrow pit were approximately 85 to 90 percent sands. The Corps reports in the Draft EIS/EIR that these materials are physically compatible with the sands present along the stretch of Imperial Beach to be nourished by the proposed project. The Draft EIS/EIR also reports that the sediments in both borrow pits are uncontaminated and suitable for beach nourishment. In addition, the deposition area at Imperial Beach does not support sensitive dune vegetation or valuable wildlife habitat, with its ecological values being limited by the seasonal instability of the beach, the close proximity of residential development immediately above the zone of tidal and wave action, and high levels of recreational use. The mitigation test of Section 30233(a) is therefore met by the project.

In conclusion, the Commission finds that the project is an allowable use under Section 30233(a), is the least environmentally damaging feasible alternative, and provides for mitigation measures to protect marine resources, water quality, and environmentally sensitive habitat. Therefore, the Commission finds that the proposed beach nourishment project is consistent with the dredging and filling, water quality, and marine resource policies (Sections 30230, 30231, and 30233) of the Coastal Act.

B. Public Access and Recreation. The Coastal Act provides the following:

Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources. . . .

Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

...

Section 30220

Coastal areas suited for water-oriented recreational activities that cannot be readily provided at inland water areas shall be protected for such uses.

The Corps of Engineers is proposing a 50-year-long beach nourishment program along a 7,100-foot-long stretch of Imperial Beach. The primary purpose of the project is to provide shoreline protection from winter storms, but in addition the project will develop and maintain a wide sandy beach for public recreational use, a beach that is currently easily accessible to the public for passive and active recreation. Regarding the current popularity of this beach for public recreation, the project Draft EIS/EIR states that:

In general, the study area is of high recreational value. Common recreational activities include surfing (short- and long-board), bodyboarding, bodysurfing, sun bathing, swimming, jogging, sightseeing, bird watching, horseback riding, picnicking, bicycling, hiking/walking, various types of fishing (e.g., pier-, boat-, beach-, bow/arrow-) . . . Imperial Beach is also the site for various annual recreational events that attract thousands of visitors to the area such as: U.S. Open Sandcastle Competition, the Imperial Beach 1 Kilometer Pier Swim/5 Kilometer Run & Walk, and Multi-Sport Championships.

The proposed project would generate minor adverse effects on public access and recreation, primarily resulting from temporary beach closures during disposal and sand moving operations on the beach, and from the noise associated with bulldozer operations on the beach. However, the proposed project would significantly improve public access and recreational opportunities due to the placement of clean and grain-size compatible sand along this stretch of beach, and the resulting enlargement of the narrow summer beach and formation of a winter beach that for all intents and purposes does not presently exist. Therefore, the Commission finds that the proposed beach nourishment project is consistent with the public access and recreation policies (Sections 30210-13 and 30220) of the Coastal Act.

SHORE PROTECTION EIS/EIR

Figure 2.1-1
Project Location

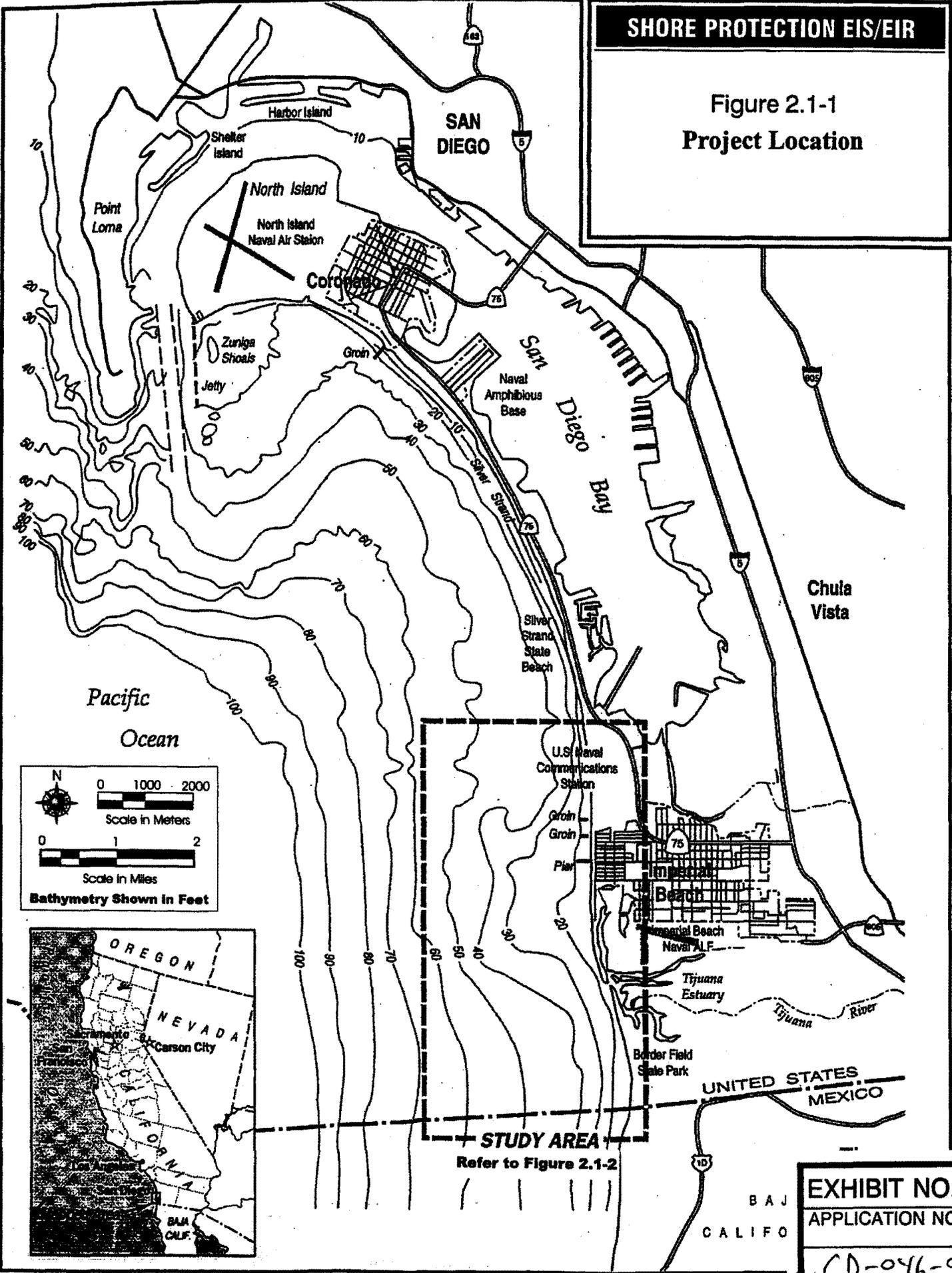


EXHIBIT NO. 1

APPLICATION NO.

CD-046-02

California Coastal Commission

SHORE PROTECTION EIS/EIR

Figure 2.1-3
Offshore Borrow and Beach Replenishment Areas

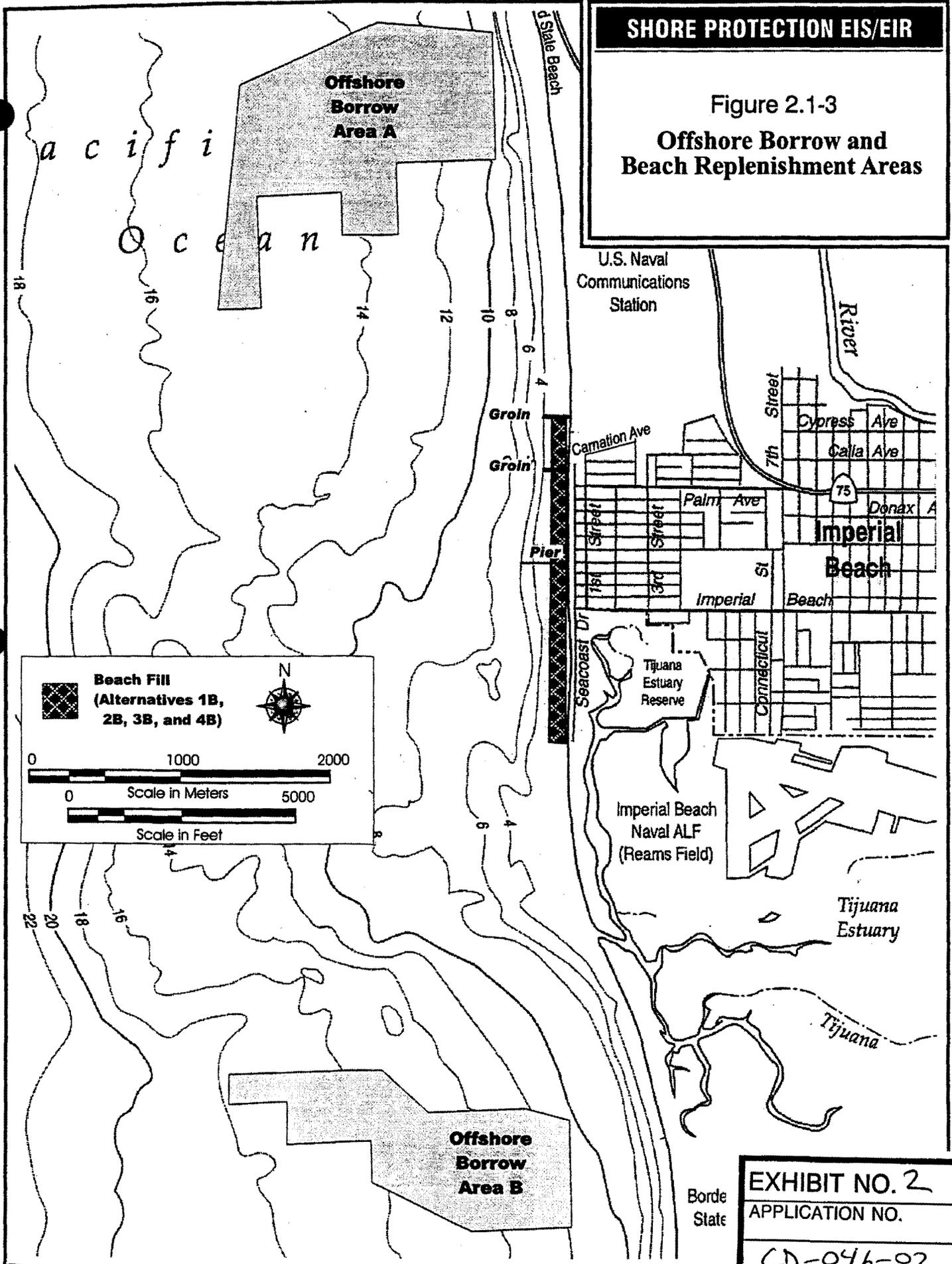


EXHIBIT NO. 2
 APPLICATION NO.
 CD-046-02

CONSTRUCT 925,000 CUBIC METER BEACH FILL INITIALLY
 CONSTRUCT 764,000 CUBIC METER RENOURISHMENT EVERY 10 YEARS

BEACH FILL (TYPICAL)

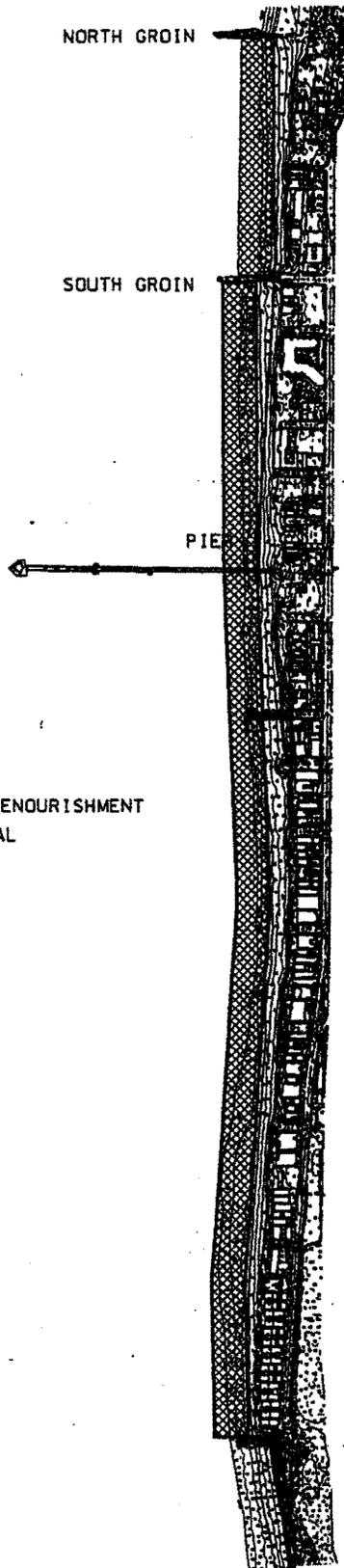
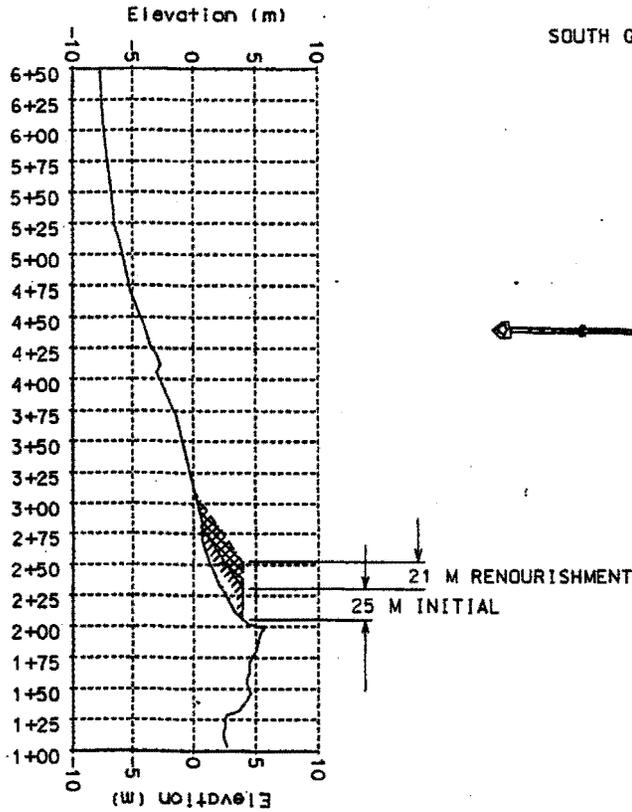


EXHIBIT NO. 3
 APPLICATION NO.
 CD-046-02
 California Coastal Commission

SCALE:	U.S. ARMY ENGINEER DISTRICT LOS ANGELES CORPS OF ENGINEERS	DESIGNED BY: DRAWN BY: CHECKED BY:	GENERAL REEVALUATION REPORT SILVER STRAND SHORELINE, IMPERIAL BEACH, CALIFORNIA
SHEET:	SUBMITTED BY: THOMAS SAGE, PE CIVIL ENGINEER		RECOMMENDED PLAN
SHEETS:	DISTRICT FILE NO.	SPEC. NO. DACH09-	FILE NAME: