

Substantive File Documents: City of Oceanside Certified Local Coastal Program (LCP); Oceanside Beach Nourishment Demonstration Project dated July 7, 1996 by Coastal Environments; Negative Declaration for Oceanside Beach Nourishment Demonstration Project dated July 23, 1996; Grain Size Distribution Test Results and Pilot Beach Nourishment Project dated April 24, 1996 by Woodward-Clyde Consultants; Land Transfer Audit for Proposed La Paz County Landfill Expansion dated April 14, 1995 by Scott, Allard & Bohannon, Inc.; City of Oceanside Resolution No. 96-P42.

PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Final Monitoring Plan. Prior to the issuance of the coastal development permit, the applicant shall submit for review and written approval of the Executive Director, a final monitoring program for the beach nourishment project. Said monitoring plan shall be in substantial conformance with the monitoring program submitted with this application and shall include the following:

- a. Quantitative monitoring that includes monthly surveys shall be conducted at the identified 11 profile and 3 control range sites to a depth of approximately -6 feet (NGVD).
- b. Photographs shall be taken at least monthly. They shall be taken from the same vantage point(s) and in the same direction each time.
- c. Polling of residents and beach users shall occur for the duration of the project. Said polling shall include questions on the color, texture or other attributes of the delivered sand as well as any observed impacts resulting from the project on public access, recreational opportunities, noise, etc.

- d. Beach use counts of the project site shall be tabulated for the duration of the project and then compared to use counts from previous years.
- e. Submittal of baseline information prior to deposition of the sand that includes pre-project profiles and photographs and beach use counts for the project site.
- f. The above cited monitoring information shall be summarized in a report, submitted to the Executive Director for review and written approval within 30 days of completion of the project, and include the following:
 1. A listing of all quantitative monitoring data and analysis of all such data.
 2. Prints of all monitoring photographs and a map or diagram depicting the vantage points(s) from which the photographs were taken and the directional view(s) from these vantage point(s).
 3. Results of polling of residents and beach users and recommendations for future beach nourishment at the project site and/or other beaches in San Diego County.

2. Timing/Duration of Project/Placement of Sand. Prior to the issuance of the coastal development permit, the applicant shall submit for review and written approval of the Executive Director, a final construction schedule indicating that deposition of sand on the beach shall only occur on weekdays (Monday through Friday) from 7:30 a.m. to 12:30 p.m. during the time period of Fall of 1996 to March 31, 1997. In addition, said schedule shall document that sand deposition below the Mean High Tide Line (MHTL) shall only occur during low tide events which shall be included in the schedule.

3. Other Permits. Prior to the commencement of construction, the applicant shall submit for review and written approval of the Executive Director, copies of all other required state or federal discretionary permits for the development herein approved. Any mitigation measures or other changes to the project required through said permits shall be reported to the Executive Director and shall become part of the project. Such modifications, if any, may require an amendment to this permit or a separate coastal development permit.

4. Suitability of Sand. Only materials which are approved by the Army Corps of Engineers as suitable for deposition on the subject beach (based on the land audit (Phase I Site Assessment) for La Paz County Landfill by JNE and Associates, Inc dated April 4, 1995 and the two Grain Size Distribution Tests reports by Woodward-Clyde Consultants dated March 6, 1996 and April 24, 1996) shall be used for the approved project.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The development proposes the placement of between 8,000 and 20,000 cubic yards of sand on an eroded beach between Oceanside Boulevard and a vacant lot approximately 2,000 ft. to the south in the City of Oceanside. As proposed, trucks transporting trash from Oceanside to a landfill in La Paz County, Arizona, will bring desert sand excavated from the landfill to the beach on the return trip. The sand will be deposited for an approximately five month period extending from Fall of 1996 to March 31, 1997. A minimum of 30 cubic yards to a maximum of 60 cubic yards of sand will be deposited or 4 truck trips will occur each day, Monday through Friday (7:30 a.m. to 12:30 p.m.). No deliveries will occur on weekends. Even though the project proposes deposition of 8,000 to 20,000 cubic yards of sand, because of timing and truck load constraints, only approximately 5,000 cubic yards of sand will actually be deposited. The sand will be dumped at either the vacant City-owned lot at 1425 South Pacific Street or at the foot of Oceanside Boulevard and then City of Oceanside crews will spread the stockpiled sand on the beach utilizing mechanical equipment.

The subject development is proposed as a pilot/demonstration project to determine if sand, imported by truck from the desert, is acceptable for use as beach nourishment on San Diego County beaches. As such, the development also proposes a monitoring program that involves essentially two components: The first relates to scientific analysis and includes a variety of methods to determine the behavior of the sand on the beach. The second component involves the polling of beach user's and residents of the area for their response to the sand (i.e., color, texture, etc.) and its delivery method.

The City of Oceanside has a certified LCP and has issued a coastal development permit for the entire project which includes delivery of a maximum of 20,000 cubic yards of sand by truck to the beach and deposition and spreading of the sand on the beach. The City, in its coastal development permit review, addressed a number of issues to assure the project's conformance with the certified LCP. These issues included review of proposed truck routes, staging areas, deposition sites, timing of the project, public access and safety, quality of the sand and the public's perception of the project.

However, because the sand is to be placed on the beach below the Mean High Tide Line (MHTL), which is an area where the Commission retains permit jurisdiction, a coastal development permit is also required from the Commission for that portion of the development. Therefore, the standard of review will be Chapter 3 policies of the Coastal Act.

2. Public Access/Recreation/Beach Nourishment. The proposed development involves the placement of between 8,000 and 20,000 cubic yards of sand on the beach over an approximately five month period. As such, potential impacts on public access and recreation could result. Many provisions of the Coastal Act address public access and recreation, including 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 30212.5

Where ever appropriate and feasible, public facilities, including parking areas it facilities, shall be distributed throughout an area so as to mitigate against the impacts, social or otherwise, of overcrowding or overuse by the public of any single area.

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 readily be provided at inland water areas shall be protected for such uses.

Providing additional useable beach area is consistent with the above policies in that it can enhance public access and recreational opportunities by providing a wider beach for the public to use. Providing additional recreational area, through placement of sand along a useable shoreline, can also result in less crowding and therefore reduce the burden such crowding can place on coastal resources and access.

In addition to the above cited policies, there is also a policy of the Coastal Act which encourages use of suitable beach nourishment materials to supply the region's littoral zones with sand. Such deposition of beach quality material on the region's shoreline can create and protect coastal recreational areas for use by the general public. Section 30233 (b) of the Coastal Act encourages the use of suitable material to supply the region's beaches with sand and states:

(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 above language in Section 30233 clearly suggests the benefit of restoring the region's beaches through use of material that would otherwise reach the shoreline, but for man's intervention by development and flood control projects. However, inland development sites which are comprised of the same or similar terrestrial deposits as coastal bluffs should also be considered available sources for beach replenishment purposes, as are the spoils removed from wetlands and floodplains.

In this particular case, the sand is not dredged spoils or from a local inland source, but from the desert in Arizona. As noted, the proposed development is a pilot project involving the placement of between 8,000 and 20,000 cubic yards of sand from the desert in Arizona on the beach over an approximately five month time period. The purpose of the project is to determine if desert sand is acceptable for beach nourishment on San Diego County beaches. The project is not designed to restore the beach in this area or provide any significant recreational benefits, although such benefits could result from the project.

The project site is an approximately 2,000 ft-long section of beach located south of Oceanside Boulevard in the City of Oceanside. The entire length of the site is a relatively narrow sand beach backed by a nearly contiguous riprap revetment with gaps at two street ends and several vacant lots. The riprap provides protection for existing residential development (both single- and multi-family) that fronts the beach. At normal high tides, most of the sandy beach area along the project site is submerged, with waves washing directly against the riprap.

Public access to the beach is available at the street ends and across the existing vacant lots. Other than a concrete ramp leading from Pacific Street to the beach at the terminus of Oceanside Boulevard, there are no improved public access points at the project site. Access at the street ends and vacant lots is via dirt paths that traverse down small, approximately 15 ft. high bluffs. Public parking is available on both sides of Pacific Street only. While the City's beach areas include an abundance of public parking lots, none are located adjacent to the project site. In addition, no restroom or other facilities are available at the project site.

The desert sand is proposed to be delivered by trucks, with a maximum of approximately 60 cubic yards of sand delivered daily (Monday through Friday). As proposed, the trucks will dump the sand in piles at the base of the ramp at the end of Oceanside Boulevard (the northern end of the project site) or on the City-owned vacant lot at 1425 Pacific (the southern end of the project site). Then, City crews will periodically spread the stockpiled sand along the beach utilizing mechanical equipment.

This process of dumping and spreading the sand on the beach has the potential to adversely affect public access and recreation opportunities at the site. However, the project has been designed to minimize such impacts. The project is proposed to occur over of an approximately five month period from Fall of 1996 to March 31, 1997. As such, the project will not occur during the summer months when beach use is at its peak. In addition, sand deliveries are limited to a maximum of four trucks per day from 7:30 a.m. to 12:30 p.m. on Monday through Friday only and spreading of the sand will occur only during the week. Thus, the project will not occur on weekends when beach use would be expected to be higher, even in the non-summer months. Additionally, although use of the beach by the public may be temporarily affected when the sand is being deposited and spread, at no time will the beach in this area be closed to the public. Therefore, to assure that the project only occurs during the non-summer months and not on weekends, Special Condition #2 has been attached. This condition requires the applicant to submit a final construction schedule for the project detailing these project limitations.

The San Diego Association of Governments (SANDAG) has adopted the Shoreline Preservation Strategy (Strategy) for the San Diego region and is currently working on techniques towards its implementation. The shoreline is recognized as a valuable asset to the environment and economy of the San Diego region and the State. It is also considered a resource of national significance. The Strategy identifies that beaches in the San Diego area have been steadily eroding for the past decade, and increasing beach loss and property damage have been projected for the future. The Strategy also emphasizes beach replenishment to preserve and enhance the environmental quality, recreational capacity, and property protection benefits of the region's shoreline. Additional sand on the region's beaches will increase the amount of available recreational area for public use, and decrease the rate of beach erosion, thereby reducing pressure to construct shoreline protective devices, which can adversely affect both the visual quality of scenic coastal areas and shoreline sand supply.

The proposed project, unlike most beach nourishment projects, is proposing to place small quantities of sand on the beach over a long period of time. The idea is that incrementally adding to the sand supply will more closely mimic the natural accretion process that occurs within the littoral cell. It is hypothesized that this will result in less immediate sand loss than would occur if a large amount of sand was placed at one time. As noted previously, placing sand on an eroding beach can have many benefits that may include a wider beach, which not only increases public access and recreation opportunities, but also can provide protection from storm waves and flooding to landward property owners.

Because of the many factors that affect sand on the beach (i.e., storm waves, currents, offshore reefs, headlands, etc.) any proposed beach nourishment project must also include a monitoring component. Such monitoring is important to assess the actual "as-built" effects of beach nourishment projects. Information obtained from monitoring beach nourishment projects can then be used in creating better designs for future nourishment projects. In

the case of the proposed development, a monitoring program has been included. The proposed monitoring program for this pilot project includes two main components. The first is a scientific analysis to determine the behavior of the sand on the beach (i.e., has the beach been made wider, etc.). The second monitoring component is to determine the acceptability of the nourishment program by local residents and beach users.

While the proposed monitoring program is good, it is only conceptual at this time. As such, Special Condition #1 has been attached. This condition requires the submittal of a final monitoring program for the project that includes details on what information is to be collected both prior to initial deposition of the sand and during the project, and how it is to be reported to the Commission. In this way, the Commission will be made aware whether or not the project met its objectives and was successful. Additionally, this monitoring information will be useful to the Commission in the future in reviewing other beach nourishment projects at the project site and/or other areas in San Diego County. Therefore, as conditioned, the Commission finds the proposed pilot beach nourishment project is consistent with the public access and recreation policies of the Coastal Act in that potential impacts have been minimized to the maximum extent feasible.

3. Sensitive Resources. Several Coastal Act policies address the protection of sensitive resources. The following are most applicable to consider when placing sand on the beach:

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 30240

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

These Coastal Act policies require the Commission to address the impacts on marine resources by considering, among other things, the timing of deposition of the material on the beach, the presence of environmentally sensitive resources, the quality of the proposed nourishment material and compatibility of the material with that of the receiver beach. Deposition of material onto the beach can affect marine life through the burial of organisms on the beach and in the nearshore environment, and by increasing turbidity in adjacent waters. Fine-grain sediment has the greatest potential for causing impacts to the nearshore habitat because coarser sediment generally remains on the beach, while fine-grain sediment migrates offshore towards any existing nearshore marine habitat.

The applicant is proposing to deposit a maximum of 20,000 cubic yards of desert sand on the beach between Fall of 1996 to March 31, 1997. The sand is to be obtained from the La Paz County Landfill located just south of Parker in Arizona. The applicant has submitted information which details numerous precautions taken at the landfill to prevent pollution and contamination. Such precautions include, among others, the stockpiling of newly excavated sand at the landfill at least 500 yards from any active trash "cell"; the screening of the sand to remove large particles or debris, and the washing and lining of the transport trucks. Based on this information, the Army Corps of Engineers (ACOE) and the Environmental Protection Agency (EPA) have made a preliminary determination that the proposed excavated material has not been contaminated with pollution and is therefore chemically suitable for beach discharge without any further testing.

Aside from contamination concerns, nourishment material should also be similar to the material which occurs naturally at the receiver beach. A general evaluation of this similarity uses grain size analysis. If the nourishment material is significantly finer than the receiver beach material, it is likely that the nourishment material will be carried offshore quickly, providing little, if any benefit and possibly causing suffocation of sensitive offshore resources. If nourishment material is significantly coarser than the receiver beach material, it is likely to remain on the receiver beach for a longer period of time, which could steepen the dry beach and nearshore profile and possibly change nearshore wave conditions.

Two studies of the desert sand from La Paz County and the North County beaches have been conducted. The studies found the grain-size and other physical characteristics of the material to be suitable for use as beach fill. The proposed material consists of approximately 97% medium to very fine sand and 3% silt/clay. The average median grain size is 0.24 mm, which is nearly identical to the grain size on the project site (0.23 mm). The small amount of silt and clay suggests that there will be no significant problems with

turbidity, compaction or crustation. The color of the proposed desert sand is a very pale brown as compared to the light to dark gray color of the receiver beach. Based on these analyses, the ACOE and EPA have also made a preliminary determination that the desert material is physically and aesthetically suitable for beach discharge.

A biological inspection of the beach along the project area was conducted on June 20, 1996. The objective of the survey was to determine the biological characteristics of the area and to note any unusual features. In addition, divers surveys were also completed for the area. These surveys found that the entire project footprint consists of a sandy substrate, with no reefs, hard substrate, algal habitat or other biologically significant resources located along the project site. In addition, an infrared aerial photography survey was conducted on August 20, 1996, which clearly indicated the absence of any kelp canopy offshore of the study area. As such, no marine resources are located at or near the project site, thereby eliminating any potential impacts of the nourishment project on such resources.

However, beach nourishment projects have the potential to adversely affect other biological resources. If the receiver beach is used by grunion or nesting birds, nourishment can smother or suffocate the eggs and nests. To avoid potential impacts to the California least tern and California grunion, the proposed project has been designed to occur when potential impacts to these species could not occur (Fall, 1996 to March 31, 1997).

To further reduce potential impacts of the project on sensitive resources, the ACOE Public Notice Report include a special condition which requires that sand only be placed on the beach below the MHTL at low tide events. In this way, the potential for increased turbidity and sand movement offshore, by placing sand in the surf, is reduced. Special Condition #2 has been attached to reiterate this requirement.

Beach nourishment projects typically require a approval of a 404 permit from the ACOE, which will include a final determination as to the suitability of the proposed material for deposition on the beach at the project site. The Commission must rely on the ACOE to make such determinations. As noted above, the EPA and the ACOE have made a preliminary determination that the proposed beach nourishment material is not contaminated with pollution and is physically and aesthetically suitable for beach discharge. However, because the final determination has not yet been made, Special Condition #4 has been attached. This condition notifies the applicant that only materials found suitable for beach deposition by the ACOE shall be used for this project.

As stated, other permits are being pursued by the applicant from various state and federal agencies having jurisdiction over the project. Thus, conditions of approval and/or mitigation measures may be required from these agencies in their review. As such, Special Condition #3 has been proposed. This condition requires the applicant to submit any discretionary permits obtained from other agencies. Should any project modification be required as a result of the other permits, the applicant is further advised that an amendment to this permit may be necessary to incorporate said mitigation/changes into the

project. Based on the above discussion and as conditioned, potential impacts to the marine environment and other sensitive coastal resources will be reduced to the maximum extent feasible, consistent with Sections 30230, 30231 and 30240 of the Coastal Act.

4. Local Coastal Planning. Section 30604 (a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The City of Oceanside received approval of its LCP from the Commission in 1985 and has been issuing coastal development permits for its Coastal Zone since that time. A coastal development permit was approved by the City for the proposed development. However, a portion of the proposed development is to occur on the beach in the Commission's original jurisdiction area (areas located below the MHTL). As such, the standard of review is whether the project is consistent with Chapter 3 policies of the Coastal Act, with the LCP utilized for guidance.

The proposed development is a pilot project to determine the acceptability of desert sand from Arizona for beach nourishment on San Diego County Beaches. As discussed in the findings above, as conditioned, the proposed development is consistent with all applicable Chapter 3 policies of the Coastal Act and no adverse impacts to coastal resources are anticipated. Therefore, the Commission finds the proposed development, as conditioned, will not prejudice the ability of the City of Oceanside to implement its certified local coastal program.

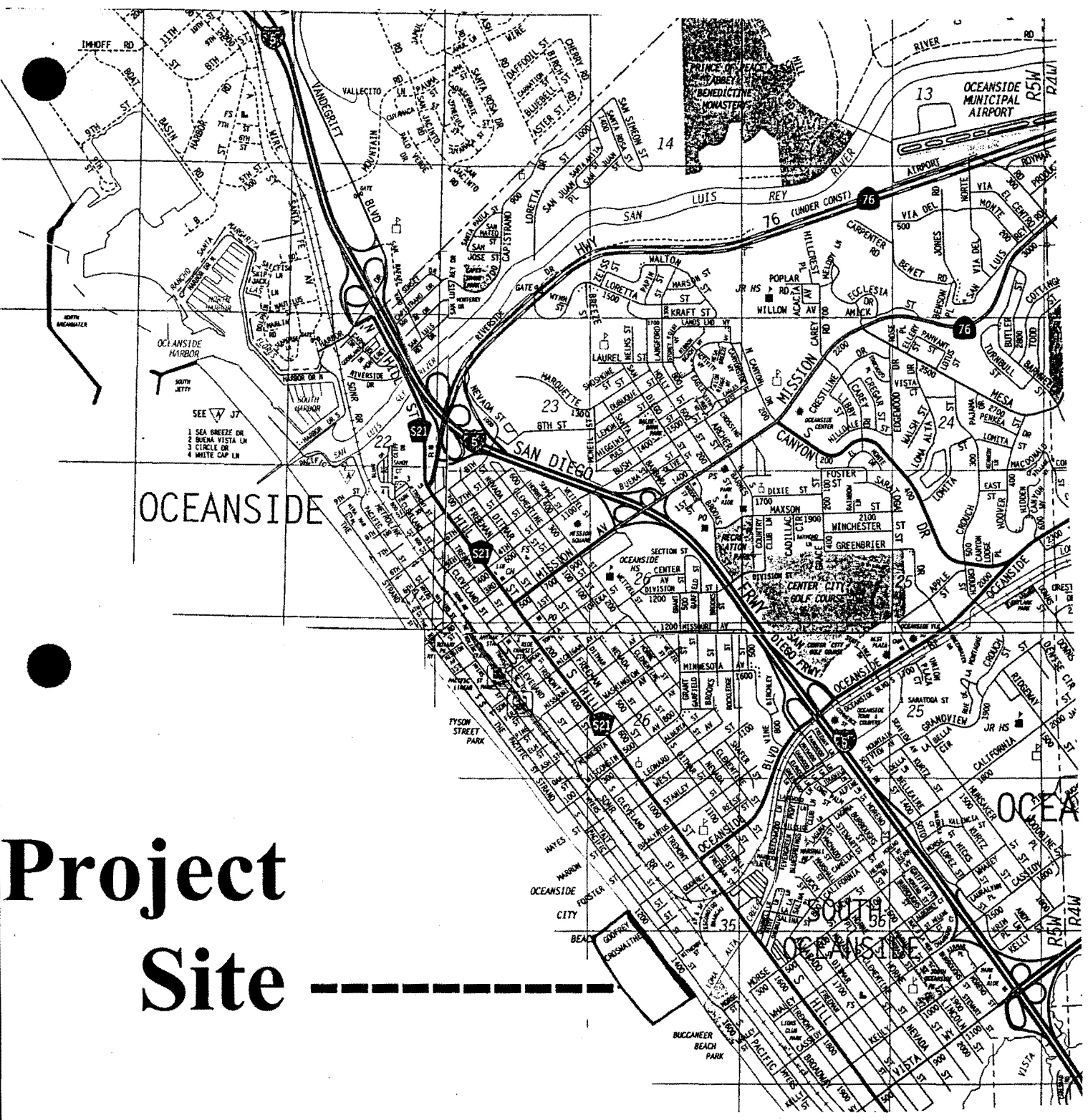
5. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project has been found consistent with the public access and sensitive resource policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity might have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

(6116R)



OCEANSIDE

Project Site

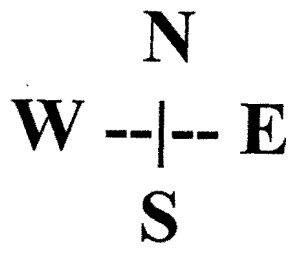


EXHIBIT NO. 1
APPLICATION NO.
6-96-116
Location Map
California Coastal Commission

PACIFIC OCEAN

Project Site

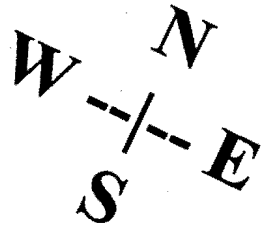
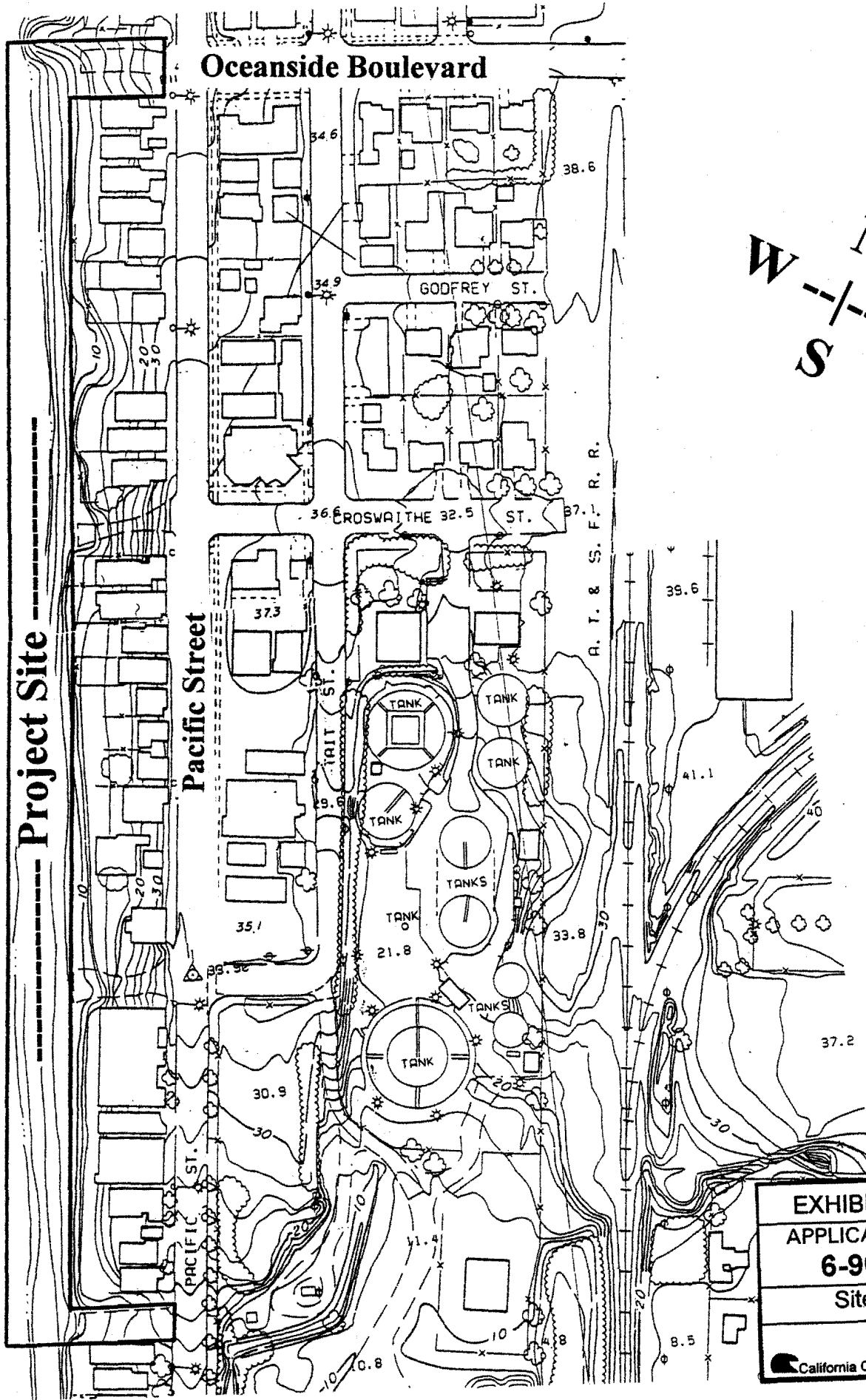


EXHIBIT NO. 2
APPLICATION NO.
6-96-116
Site Plan
California Coastal Commission



San Diego Gas & Electric
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OCT 21 1996

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

October 17, 1996

FILE NO.

Mr. David Zoutendyk
U.S. Army Corps of Engineers
Regulatory Branch, S.D. Field Office
10845 Rancho Bernardo Road, Suite 210
San Diego CA 92127

RE: LA PAZ COUNTY LANDFILL BEACH REPLENISHMENT PROJECT
APPLICATION NO. 96-20168-DZ

Mr. Zoutendyk:

SDG&E appreciates the opportunity to comment on the proposed beach replenishment project. SDG&E commends the efforts of the City of Oceanside and the Corps to develop and implement creative approaches to sand replenishment in San Diego County. However, we are concerned that this project alone has negative impacts which could affect current sedimentation rates in the Agua Hedionda Lagoon. We have also expressed concern about other projects such as the Navy Homeport and Carlsbad Opportunistic Sand Project and their probable impact on the Agua Hedionda Lagoon. The La Paz Landfill Project only serves to increase our level of concern regarding the potential for individual project and cumulative project impacts to the current sedimentation rates in the Agua Hedionda Lagoon.

With regard to the La Paz County Landfill Project, we have the following comments:

- If the initial 20,000 yard "demonstration project" is successful, will there be future projects proposing additional La Paz County Landfill sand on north county beaches?
- What is the maximum volume of sand the La Paz County Landfill could provide to beach replenishment projects in San Diego County? What percentage of this total volume is proposed for deposition on north county beaches?

EXHIBIT NO. 3
APPLICATION NO. 6-96-116
Letter of Comment
1 of 15
California Coastal Commission

- At what point would the individual or cumulative impact or threshold of significance for increased sediment rates in the Agua Hedionda Lagoon, as a result of successive beach replenishment projects, mandate the need for appropriate mitigation?

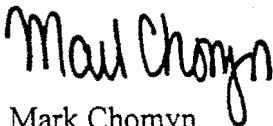
This year, we provided comments to the Corps on the Navy Homeport and Carlsbad Opportunistic Sand Project. Those previous comments (attached) were consistent in their request for the Corps to consider appropriate mitigation measures in the Navy and Carlsbad projects which would minimize the impact of sediment transport into the Agua Hedionda Lagoon. To date, the Corps has chosen not to require such mitigation in its approval of the Navy Homeport Project or in its preliminary review of the Carlsbad Opportunistic Sand Project.

The La Paz Landfill Project is the third beach replenishment project recently considered within the littoral cell which influences the Agua Hedionda Lagoon. It is our opinion that the possible cumulative impacts of the Navy, Carlsbad and La Paz projects, planned and/or approved must not continue to be ignored. Individual and cumulative impacts must be considered in an Environmental Assessment (EA) under NEPA, and in the Environmental Initial Study (EIS) under CEQA. In general, cumulative impacts occur from the incremental impact of a project when added to other closely related past, present, and reasonably foreseeable probable future projects.

It is our opinion that the Corps should assess the potential individual and cumulative impacts of this and other closely related beach replenishment projects and consider implementing mitigation measures which would limit increased sedimentation rates at the Agua Hedionda Lagoon. As mentioned in our previous correspondence, mitigation measures considered should include the creation of offshore breakwaters and/or lengthening the existing intake jetties at the mouth of the Agua Hedionda Lagoon.

Please call me at (619) 696-2732 if you have any questions.

Sincerely,



Mark Chomyn
Land Planner

cc: Mr. Jerry Hittleman, City of Oceanside
Ms. Sherilyn Sarb, California Coastal Commission
Ms. Jane Smith, California State Lands Commission

SDGE San Diego Gas & Electric

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OCT 21 1990

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

January 8, 1996

FILE NO

Mr. David Zoutendyk
U.S. Army Corps of Engineers
Regulatory Branch, San Diego Field Office
ATTN: CESPL-CO-94-20861-DZ
10845 Rancho Bernardo Road, Suite 210
San Diego, CA 92127

RE: PUBLIC NOTICE (PN) OF PERMIT APPLICATION NO. 94-20861-DZ

Mr. Zoutendyk:

We received the public notice (PN) for the project and would like to offer the following comments.

The project description indicates that approximately 9,055,000 yards of material would be dredged in the San Diego Bay. The dredged material would be deposited offshore at LA-5, within an in-bay fill area and at four preferred beach replenishment sites. SDG&E has an existing submerged transmission cable (TL 655) in the vicinity of the project, but not within the dredging limits. It is our understanding that material removed from the bay will be barged from the project site and that submerged hydraulic dredge spoil delivery pipe will not be laid adjacent to, or across our submerged cable. The dredging program and the four preferred replenishment sites do not cause SDG&E any concern as long as the above noted project conditions do not change.

However, Figure 4 (Potential Receiver Sites) of the application illustrates five additional replenishment sites, two of which (F&G) are in Carlsbad. Replenishment sites F&G do create some concern for SDG&E due to their proximity to the Agua Hedionda Lagoon. The lagoon has lost approximately 30% of its effective tidal (hydraulic) prism since it was originally dredged in 1954 to provide cooling water to the Encina Power Plant. The loss in tidal prism has reduced the lagoon's ability to expel sand which enters the lagoon mouth due to littoral drift and tidal processes. As a result, the lagoon continues to ingest sand which further reduces tidal prism and increases the potential for closure at the mouth of the Agua Hedionda Lagoon. The potential for closure not only presents a serious operational problem for the Encina Power Plant, it also jeopardizes the environmental integrity of the lagoon. Because littoral drift rates are sand supply limited along the north San Diego County beaches, the use of replenishment sites F&G will likely exacerbate the present sand influx rates and closure risks of the Agua Hedionda Lagoon.

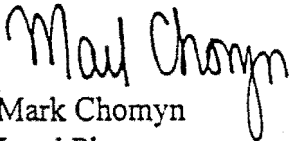
3 OF 15

For the reasons listed above, SDG&E does not concur with information in the project's EIS, page 3.1-17 which states "In addition, these sites were determined not to support biological assemblages that are sensitive to a large influx of sand." Historical data on the Agua Hedionda Lagoon suggests that there has been a decline in eelgrass population in the lagoon. This historical decline could be a result of increased sand ingestion in the lagoon and its effect on water depth and water quality (clarity). Later on page 4.1-9 of the EIS, the report states "Less is known about the beach sites in northern San Diego County in regards to historical beach replenishment events." Because of this lack of information the report suggests that sedimentation pathways and rates should be considered when using north county disposal sites.

SDG&E is aware that the Navy's project application does not list sites F&G in the four original candidate sites. However, it is our understanding that the Navy's estimate of 7,224,000 yards of beach replenishment material could increase based on actual job conditions. If material amounts did increase, that material if suitable could be considered for disposal at the remaining five (B, D, E, F, G) beach replenishment sites. If this were to occur, SDG&E suggests that any use of sites F&G must consider the impacts of increased sedimentation within the Agua Hedionda Lagoon and potential mitigation to reduce any probable impacts to a level of insignificance.

Thank you for the opportunity to review the Public Notice of Permit Application. If you have any questions please call me at (619) 696-2732.

Sincerely,



Mark Chomyn
Land Planner

cc: Mr. Robert Hexom, Department of the Navy

February 9, 1996

Mr. David Zoutendyk
U.S. Army Corps of Engineers
Regulatory Branch, San Diego Field Office
10845 Rancho Bernardo Road, Suite 210
San Diego CA 92127

FILE NO

**RE: SECTION 10 AND 404 PERMIT, CARLSBAD OPPORTUNISTIC
BEACHFILL PROGRAM, M&N FILE 3497**

Mr. Zoutendyk:

The City of Carlsbad provided SDG&E with the opportunity to review the draft permit application material submitted to your attention at the U.S. Army Corps of Engineers on October 20, 1995. SDG&E supports the efforts of the City of Carlsbad to replenish beaches with opportunistic sand. However, we are concerned that the implementation of proposed projects noted in the submittal (Buena Vista Lagoon & Carlsbad Beach) could potentially impact current sedimentation rates in the Agua Hedionda Lagoon.

Results of SDG&E's recent hydraulic studies of the Agua Hedionda Lagoon indicate that the lagoon has lost approximately 34% of its mean effective tidal (hydraulic) prism since it was originally dredged in 1954 to provide cooling water to the Encina Power Plant. The loss in tidal prism has reduced the lagoon's ability to expel sand which enters the lagoon mouth due to littoral drift and tidal processes. As a result, the lagoon continues to ingest sand which further reduces tidal prism and increases the potential for closure at the mouth of the Agua Hedionda Lagoon. The potential for closure not only presents a serious operational problem for the Encina Power Plant, it also jeopardizes the environmental integrity of the lagoon. Because littoral drift rates are sand supply limited along the north San Diego County beaches, the use of the Buena Vista Lagoon and Carlsbad Beach replenishment sites will likely exacerbate the present sand influx rates (approximately 155,000 cu. yards/year) and closure risks of the Agua Hedionda Lagoon.

We are concerned that Carlsbad's opportunistic sand program will also consider and seek approval for the discharge of fine-grained material which may fall outside the Corps and EPA accepted grain size envelope for such material. Discussion in the project's Technical Report of the placement, timing and rates of fine-grained beach replenishment material does not reduce our concern that this material will be easily transported into the Agua Hedionda Lagoon. It is well known that the presence of fines amidst coarse-grained materials increases gross transport rates.

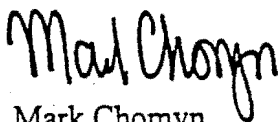
For the reasons listed above, it is SDG&E's opinion that the City of Carlsbad's application should assess the potential impacts of increased sedimentation in the Agua Hedionda Lagoon and consider implementing mitigation measures which would limit sedimentation. We do not believe that the mitigation measures/criteria currently contained in the draft Corps application adequately address the potential for increased sedimentation.

We would suggest that the City consider incorporating mitigation measures in their opportunistic sand program which could limit sediment transport within the Oceanside littoral cell between the intended nourishment beaches and the mouth of the lagoon. Such measures could include beach management strategies discussed in the recently completed "Shoreline Erosion Assessment and Atlas of the San Diego Region", prepared by The California Department of Boating & Waterways in association with SANDAG. The atlas suggests two potential beach management techniques (see attached) in the vicinity of the Agua Hedionda Lagoon. One is the creation of beach stabilization structures such as an offshore breakwater. Another possibility is a lengthening and sealing of the north side of the intake jetty at the mouth of the lagoon.

Another appropriate mitigation technique would be incorporating the dredging of the middle and inner sections of the Agua Hedionda Lagoon in the City's project description. This would provide additional beach replenishment material (sand) while restoring the hydraulic prism of the lagoon, improving tidal flushing and increasing the lagoon's ability to expel sand ingested in littoral drift and tidal cycles.

SDG&E encourages the Corps of Engineers and the City of Carlsbad to consider incorporating appropriate mitigation within the conditions of approval for the Section 10 and 404 Permits. Please call me at (619) 696-2732 if you have any questions.

Sincerely,



Mark Chomyn
Land Planner

cc: Christopher Webb, Moffatt & Nichol Engineers
Steve Jantz, City of Carlsbad Engineering Dept.



October 20, 1995

U.S. Army Corps of Engineers, Regulatory Branch
San Diego Field Office
9808 Scranton Road, Suite 430
San Diego, CA 92121

Attn: David Zoutendyke

Subj: Section 10 and 404 Permit
Carlsbad Opportunistic Beachfill Program
M&N File: 3497

Dear Mr. Zoutendyke:

Thank you for reviewing the draft permit application for the Carlsbad Opportunistic Beachfill Program. We incorporated your input into this final permit application. Attached to this permit application is supplemental technical information. Please review this submittal and contact us with any further questions or comments.

Very truly yours,

MOFFATT & NICHOL ENGINEERS

Christopher K. Webb
Coastal Scientist

Enclosure

CKW/pjb
3/9/95/321

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

(33 CFR 325)

OMB APPROVAL NO. 0702-0036
Expires 30 June 1989

The Department of the Army permit program is authorized by Section 10 of the River and Harbor Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine, Protection, Research and Sanctuaries Act. These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Information provided on this form will be used in evaluating the application for a permit. Information in this application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary; however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

A set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

APPLICATION NUMBER (To be assigned by Corps)

3. NAME, ADDRESS, AND TITLE OF AUTHORIZED AGENT

Moffatt & Nichol Engineers
P.O. BOX 7707
Long Beach, Calif 90807
Telephone no. during business hours

NAME AND ADDRESS OF APPLICANT

City of Carlsbad
2075 Las Palmas Drive
Carlsbad, Calif 92009-1576

A/C () _____ (Residence)
A/C 310 420-9551 _____ (Office)

Telephone no. during business hours

Steven Jantz Ext 4354

Statement of Authorization: I hereby designate and authorize Chris Webb of Moffatt & Nichol Eng to act in my behalf as my agent in the processing of this permit application and to furnish, upon request, supplemental information in support of the application.

A/C () _____ (Residence)
A/C (519) 432-1161 _____ (Office)

SIGNATURE OF APPLICANT

DATE

Steven Jantz

10-31-95

TAILED DESCRIPTION OF PROPOSED ACTIVITY

ACTIVITY The City of Carlsbad proposes to use beach quality material obtained as a by-product of a grading or dredging project to nourish it's eroding beaches. The sediment will be placed on the beach to advance the shoreline or maintain the beach.

PURPOSE

The opportunistic sand program was adopted by the city of Carlsbad as a means to counteract erosion of the city's beaches. Under the program, beach quality sand which becomes available within the region due to construction may be considered for beach nourishment rather than upland disposal. The program will allow the city to pursue suitable opportunistic sand for beach placement for erosion control and improvement of recreational activities.

DISCHARGE OF DREDGED OR FILL MATERIAL

Two potential disposal sites have been identified. One site is located just south of the Buena Vista Lagoon, at the northernmost beach in the city. The other disposal site is the beach south of the warm water jetty of the Encina Power Plant. If material cannot be immediately placed material can be stored on vacant land at the north end of the city, adjacent to Buena Vista Lagoon.

- Agua Hedionda Lagoon, Carlsbad

The north jetty already functions as a groin here. After proper design analysis, it could be lengthened, and sealed if necessary, to impound a wider beach along the north Carlsbad coast as illustrated in Figure 20 (p. 69). An offshore breakwater that created a salient or tombolo at this site would provide the same fillet. In addition, it could be used to create a trap from which sand could be bypassed across the lagoon mouth or backpassed to Oceanside.

Offshore Breakwaters

Offshore breakwaters that produce a salient cause the least downcoast impact. They can be used almost anywhere without serious concern for downcoast beaches as long as the affected upcoast and leeward beach are artificially filled.

An offshore breakwater has two especially desirable attributes. The first is a typical absence of adverse downcoast effects when a salient is created in its lee. The second attribute, especially appealing in the Oceanside-La Jolla Shores reach, is that a salient can be maintained even when the net alongshore transport rate is low. Under this transport condition, groins and artificial breakwaters will not trap an upcoast fillet. If the net alongshore transport rate is significantly greater than zero, however, a fillet will form because the salient acts as a sand-blocking structure, increasing the protective benefit.

Possible locations for an offshore breakwater include:

- Agua Hedionda Lagoon, Carlsbad

About 125,000 yd³/yr of sand are trapped in Agua Hedionda Lagoon. An offshore breakwater constructed upcoast of the north lagoon jetty, as illustrated in Figure 22 (p. 71), would 1) create additional recreation area with easy access, 2) provide added protection to the parking lot, and 3) provide a trap and wave shelter from which sand moving south could be bypassed around the lagoon entrance or backpassed to Oceanside. Entrapment in Agua Hedionda Lagoon would thus be reduced to the relatively small amount that enters around the south jetty.

- Moonlight Beach, Encinitas

A high-use recreational beach with the best access in Encinitas, Moonlight Beach has become very narrow in recent years. Shingle, generally an undesirable type of beach sediment, is now a significant component. An offshore breakwater at this site could be used to create a wider, more stable recreational beach, perhaps like that shown in Figure 23 (p. 72).

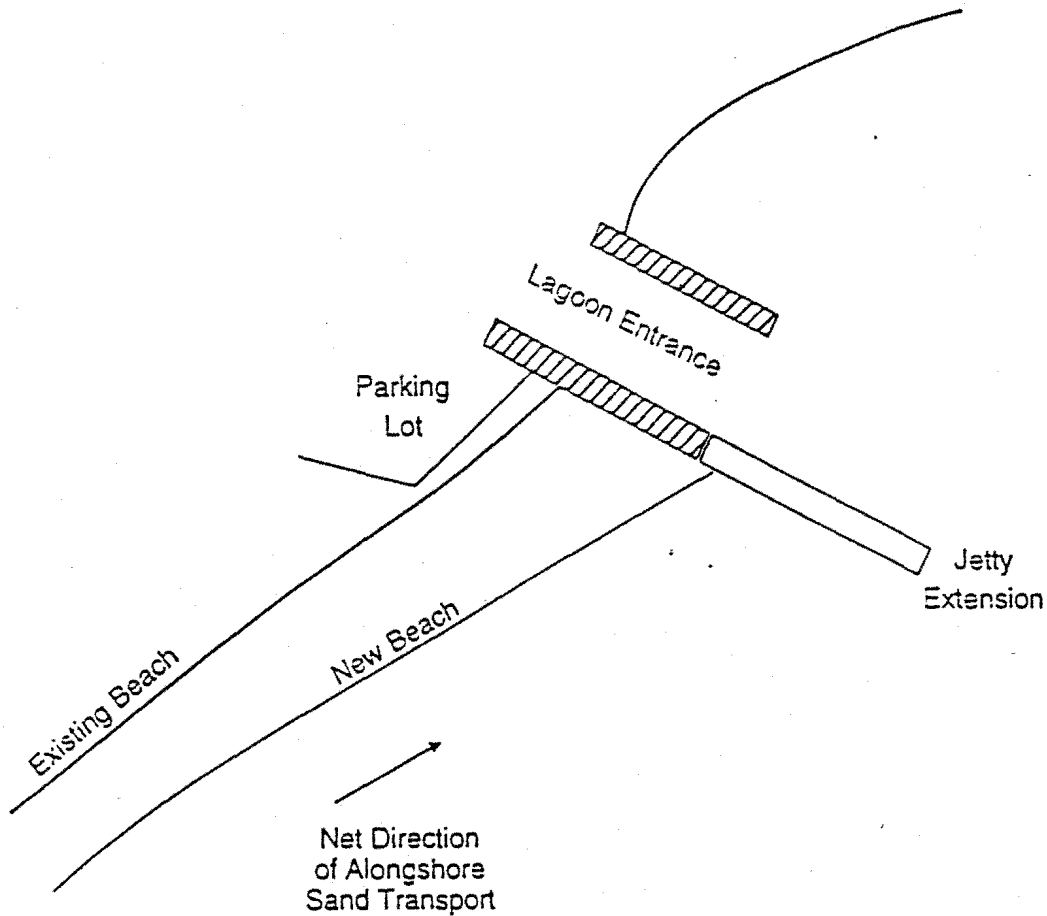
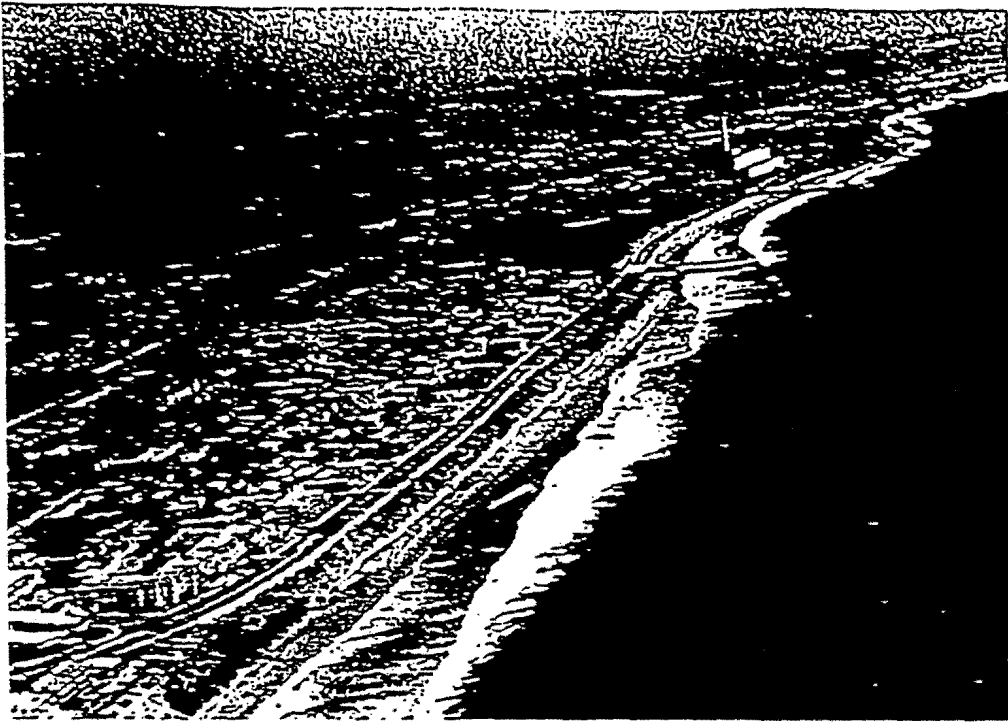


Figure 20. Conceptual North Jetty Extension at Agua Hedionda Lagoon, Carlsbad

*A wider beach would be impounded upcoast
if the north jetty of the lagoon entrance were lengthened.*

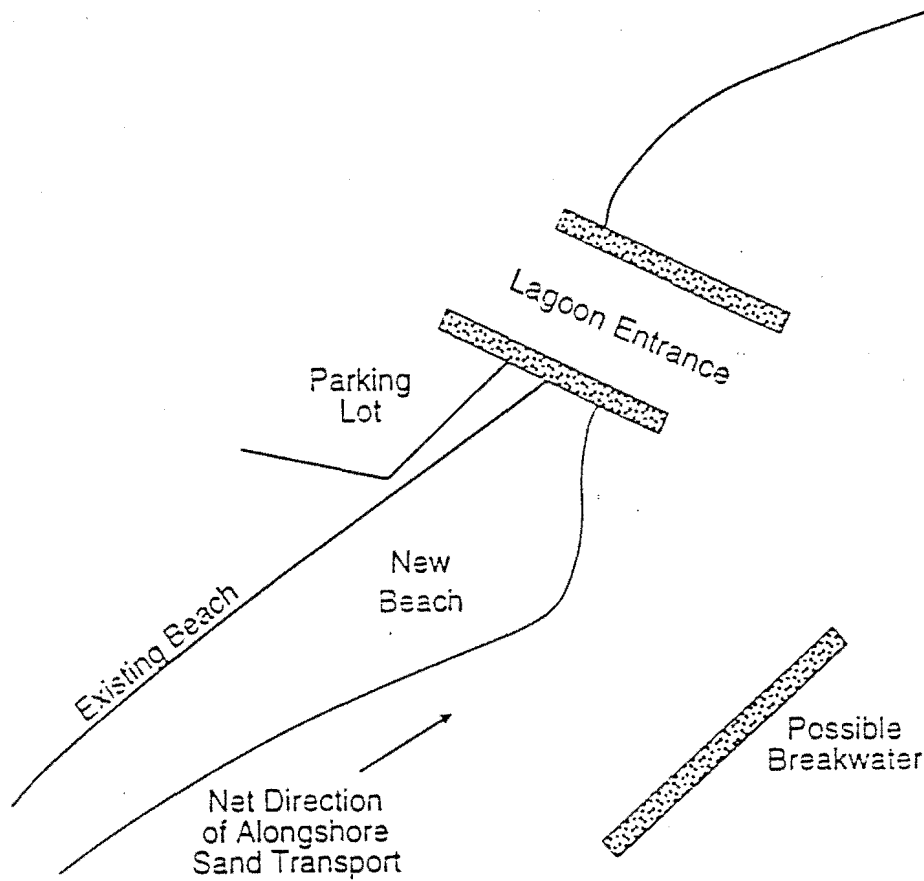


Figure 22. Conceptual Offshore Breakwater at Agua Hedionda Lagoon, Carlsbad

April 26, 1996

FILE NO.

Mr. David Zoutendyk
U.S. Army Corps of Engineers
Regulatory Branch, San Diego Field Office
AATN:CESPL-CO-94-20861-DZ
10845 Rancho Bernardo Road
San Diego, CA 92127

**RE: SAN DIEGO BAY/HOMEPORTING DREDGING PROJECT, U.S. ARMY
CORPS OF ENGINEERS APPLICATION NO. 94-20861-DZ**

Mr. Zoutendyk:

On March 18, SDG&E received a copy of the Navy's response to questions raised in our January 8, 1996 letter of comment (attached) on the Corps permit for the proposed Homeport dredging project. In that response (attached), the Navy stated that the project's FEIS had adequately addressed issues of probable sediment impact to the Agua Hedionda Lagoon from beach replenishment sites F and G. The Navy also stated that it had no plans to replenish sites F or G.

On April 4, 1996, SDG&E attended a meeting of SANDAG's Shoreline Erosion Committee and were informed that the Navy was considering a re-programming of the Homeport project. As a part of that re-programming, the Navy would request that Congress appropriate an additional \$5 million for the turning basin dredging phase. If the request for re-programming is successful, we understand that replenishment site G (south of Buena Vista Lagoon) could receive sand as early as fall of 1996.

News of the potential re-programming prompted us to review the sections of the project FEIS which were noted in the Navy's March 18 response. We noted the following in our review of those sections

- Section 4.1.1.1.2, page 4.1-8 of the FEIS notes that placement of dredged sediment "may impact the dynamics of the littoral cell system."
- Section 4.1.1.2, page 4.1-8 of the FEIS notes that, "The nearshore placement of large volumes of dredged sediment may change the local littoral current patterns, potentially resulting in erosion and/or deposition in the adjacent areas. (In the case of sites F & G, this would include the Agua Hedionda Lagoon which is within the Oceanside littoral cell.)"

- Section 4.1.1.2, page 4.1-9 of the FEIS notes that potential changes in sedimentation pathways and rates could result in "redeposition of dredged sediment to the existing lagoon mouths at Del Mar, Batiquitos Lagoon, Agua Hedionda Lagoon and Buena Vista Lagoon. This redeposition of sediment would result in the potential damming of estuary entrances."
- Section 4.1.1.2, Beach Replenishment, page 4.1-14, concludes that "Beach replenishment could, however, result in changes in the supratidal beach topography, bathymetric profile of the beach front and sedimentation pathways and rates. Further studies to identify potential impacts associated at each of the receiver sites would be the responsibility of the jurisdiction receiving the material."

We also reviewed the Record of Decision (ROD) for the project, dated December 13, 1995. The following was noted in our review of the ROD:

- Page 3 of the ROD notes that disposal quantities and locations for beach replenishment are "subject to approval and permitting by the COE."

Our review of the FEIS sections noted in the Navy's March 18, 1996 response to SDG&E's questions regarding the U.S. Army Corps of Engineers permit and language in the ROD suggest that:

- The Navy was incorrect in stating that it "has no plans to replenish either sites F or G."
- The Corps of Engineers has the responsibility to request that the City of Carlsbad submit further studies, as noted in FEIS Section 4.1.12, which thoroughly evaluate the potential impacts to the Agua Hedionda Lagoon (closure, sedimentation etc.) associated with deposition of beach replenishment material at sites F and G.

Review of the FEIS and the ROD suggests that beach replenishment by the City of Carlsbad at site F & G could not be approved under the Navy's Corps of Engineers permit request and FEIS unless additional site specific studies are performed by the City of Carlsbad. We suggest that the site specific studies include:

- An analysis of the probable redistribution of the construction profile of the beach replenishment material at sites F and G accounting for; 1.) the eventual cross shore equilibrium beach profile, and 2.) increases to the present littoral drift rates, both gross and net.
- An analysis of probable impacts to present sedimentation rates in the Agua Hedionda Lagoon when an additional 500,000 cubic yards of sand are introduced in the Oceanside littoral cell at sites F and G.

- The potential cumulative impacts of the current Oceanside Harbor and SDG&E Agua Hedionda Lagoon dredging and disposal projects when combined with proposed site F and G beach replenishment.
- The probability for increased loss of hydraulic prism within the Agua Hedionda Lagoon as a result of increased incremental and cumulative sediment influx resulting from the proposed site F and G beach replenishment projects.
- The potential for the increased probability of closure at the mouth of the Agua Hedionda Lagoon as a result of increased sediment influx from longshore dispersion of beach replenishment material from sites F and G.
- A discussion of mitigation techniques which could reduce the probable impact of increased sedimentation rates within the Agua Hedionda Lagoon. Discussion of mitigation should include consideration of the shore and beach management techniques discussed in Volumes I and II of the "Shoreline Erosion Assessment and Atlas of the San Diego Region" prepared by the California Department of Boating and Waterways in association with SANDAG.

SDG&E realizes that studying sand transport, sedimentation and lagoon hydraulics could be a time consuming and expensive task. We would like to offer our assistance to the Navy, Corps of Engineers and the City of Carlsbad by providing data we have compiled on the hydraulics of the Agua Hedionda Lagoon. Let us know if you would like to schedule a joint meeting to discuss the hydraulic data.

If you have any questions please call me at (619) 696-2732.

Sincerely,

Mark Chomyn

Mark Chomyn
Land Planner

cc: Mr. Steven Jantz, City of Carlsbad Engineering Department
Mr. Robert Hexom, Department of the Navy
Ms. Sherilyn Sarb, California Coastal Commission
Ms. Jane E. Smith, California State Lands Commission

from Navy response to comments on
COE public notice.

Post-it Fax Note	7671	Date	3/13	# of pages	1
To	Mark Chagnon		From	Bob Lefc	
Co./Dept	SDGE		Co.		
Phone #			Phone #		
Fax #	696-25985		Fax #		

Main Street Limit
Please see General

complete paragraph).

City Of Imperial

The Navy will continue to supply information... g construction traffic when the information becomes available after contract award during discussions and scheduling with the contractor. Such information will consider a number of factors, including potential use of barges, location of construction sites, and critical paths of construction schedules.

As stated in the FEIS Section 2, page 15, it is still anticipated that the rock material for the dike will be barged to the site.

None of the dredged material will be trucked through the City of Imperial Beach.

Port of San Diego

A Navy representative did attend the Imperial Beach Technical Advisory Committee meeting on January 22, 1996, as well as the City Council meeting on February 7, 1996.

San Diego Gas & Electric

The impacts caused by beach nourishment were discussed in the FEIS, Section 4.1.1.1.2; and the potential for increased sedimentation at Agua Hedionda Lagoon is specifically addressed on page 4.1-9. Additional analysis of beach replenishment sites is presented in Section 4.1.2.2.4, and is amplified in Appendices C-14 and 15. The Navy has no plans to replenish either sites F or G.

San Diego Military Toxics Campaign

Page 1, first paragraph: Under NEPA, an agency is not required to hold a public hearing on a FEIS. Navy policy is to respond to public inquiries at the appropriate level. It is seldom contracted nor appropriate for contractors to confer with the public directly. As is common practice, the Navy provided a single point of contact to receive and respond to all comments.

Page 1, second paragraph: The comment periods have met the requirements of NEPA and at no time was information withheld from the public, All copies of the FEIS were either sent by messenger or express mail several days before the start of the 30 day review period.

Page 2, Appendices Were Not Published: Apparently a few copies of the FEIS Volume III were published missing two appendices, however the majority of Volumes III were complete. A copy of the two missing appendices were immediately sent to the one individual who requested them. Under NEPA, an agency is not required to reissue parts of the FEIS that have not changed, and these had not.

Page 2, Cumulative impacts have not yet been adequately addressed: This comment has been answered numerous times and a detailed response can be found in the FEIS, Volume 11, on page C-2 and C-3.

