

**CALENDAR ITEM
C33**

A 67
S 35

10/16/08
WP 4551.9
S.Young

AMENDMENT OF PERMIT

PERMITEE:

United States Army Corps of Engineers
911 Wilshire Boulevard
P.O.Box 532711
Los Angeles, CA 90053-2325

AREA, LAND TYPE, AND LOCATION:

280 acres, more or less, of tide and submerged lands in the Pacific Ocean, offshore Surfside-Sunset Beach in San Pedro Bay, Orange County.

AUTHORIZED USE:

Placement of beach fill and continuing beach replenishment as necessary.

PERMIT TERM:

49 years, beginning November 19, 1970.

CONSIDERATION:

The public benefit and safety.

PROPOSED AMENDMENT:

Authorize the dredging of 1.75 million cubic yards of material in connection with the Surfside-Sunset Beach Nourishment Project - Stage 12 offshore borrow site, for use as beach replenishment at Surfside-Sunset Beach. No royalty shall be charged as the project will result in a public benefit. All other terms and conditions of the permit shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. The United States Army Corps of Engineers (Corps) owns and/or has a right to use the uplands adjoining the permit premises.
2. On November 19, 1970, the Commission authorized the issuance of a 49-year Public Agency Permit No. PRC 4551.9 to the Corps for implementation of a federal beach erosion control project involving

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placement of 1,500,000 cubic yards of beach fill on tide and submerged lands adjacent to Surfside-Sunset Beach in Orange County.

3. The Corps' ongoing Surfside-Sunset Beach replenishment project mitigates for the impacts to local sediment transport processes from construction of flood control structures, the Los Angeles/Long Beach breakwater and the Anaheim Bay jetties. The Corps has been performing periodic beach nourishment at Surfside-Sunset Beach and Newport Beach for many years. In 1997, the Commission authorized the Corps to dredge 1.6 million cubic yards of sand for placement at this location. In 2001, the Commission amended the permit to allow for additional dredging of approximately 1.75 cubic yards of material from offshore for use as beach nourishment at this location. The 2001 amendment allowed the additional dredging in connection with the Stage 11 new dredging "borrow" site for the ongoing project.
4. Permit No. PRC 4551.9 authorizes the Corps to perform continuing beach replenishment as necessary, but does not give the Corps the authority to continually dredge from sovereign lands. Staff is recommending that the permit be amended to authorize the dredging of approximately 1.75 million cubic yards of materials as part of the new borrow site associated with the 2008 Stage 12 of the project. The borrow site is located approximately 5,000 feet offshore of Sunset Beach in approximately 30 to 45 feet of water. The sand dredged from the offshore borrow site, will be placed on Surfside-Sunset Beach to nourish the beach and act as a feeder for downcoast beaches. Dredging for the beach nourishment portion is expected to take approximately five months.
5. An Environmental Assessment (EA) and a Finding of No Significant Impact (FONSI) were prepared and circulated for this project by the United States Army Corps of Engineers. These documents were circulated for public review as broadly as state and local law may require and notice was given, meeting the standards in Title 14, California Code of Regulations, section 15072(a). Therefore, pursuant to Title 14, California Code of Regulations, sections 15221 and 15225, the staff recommends the use of the federal EA/FONSI in place of a Negative Declaration.
6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

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APPROVALS OBTAINED:

Regional Water Quality Control Board
California Coastal Commission

EXHIBIT:

A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ENVIRONMENTAL ASSESSMENT (EA) AND FINDING OF NO SIGNIFICANT IMPACT (FONSI), PREPARED AND ADOPTED FOR THIS PROJECT BY THE UNITED STATES ARMY CORPS OF ENGINEERS, MEET THE REQUIREMENTS OF THE CEQA. THEREFORE, PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15221 AND 15225, ADOPT SUCH FEDERAL DOCUMENTS IN PLACE OF A NEGATIVE DECLARATION.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH ITS USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF PERMIT NO. PRC 4551.9, A PUBLIC AGENCY PERMIT, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE OCTOBER 16, 2008, TO AUTHORIZE THE DREDGING OF 1.75 MILLION CUBIC YARDS OF MATERIAL IN CONJUNCTION WITH THE 2008 STAGE 12 SURFSIDE-SUNSET BEACH NOURISHMENT PROJECT; NO ROYALTY SHALL BE CHARGED AS THE PROJECT WILL RESULT IN A PUBLIC BENEFIT; ALL OTHER TERMS AND CONDITIONS OF THE PERMIT WILL REMAIN IN EFFECT WITHOUT AMENDMENT.