MINUTE ITEM
This Calendar Item No. C31 was approved as Minute Item No. 31 by the California State Lands Commission by a vote of 3 to 0 at its 11/27/00 meeting.

CALENDAR ITEM
C31

A 73,78

S 38,39

PRC 8228

11/27/00
W 25546
J. Smith

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:
San Diego Association of Governments
401 B Street, Suite 800
San Diego, California 92101

AREA, LAND TYPE, AND LOCATION:
Granted and ungranted sovereign lands in the Pacific Ocean, near the cities of Oceanside, Carlsbad, Encinitas, Solana Beach, Del Mar, San Diego and Imperial Beach, San Diego County.

AUTHORIZED USE:
Dredging of approximately two million cubic yards of sand from five offshore borrow sites and beach replenishment at eight receiver sites.

LEASE TERM:
Three years, beginning March 1, 2001.

CONSIDERATION:
The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:
Insurance:
Liability insurance: Combined single limit coverage of $1,000,000 to be maintained during construction.

OTHER PERTINENT INFORMATION:
1. Applicant has a right to use the uplands adjoining the lease premises.

2. The Applicant, San Diego Association of Governments (SANDAG), on behalf of the coastal cities of Oceanside, Carlsbad, Encinitas, Solana Beach, Del Mar, San Diego and Imperial Beach, is proposing to replenish its region's beaches by dredging approximately two million cubic yards of sand from six offshore borrow sites and placing the sand at twelve receiver sites. SANDAG is undertaking the project in conjunction with its Shoreline Preservation Strategy for the San Diego Region that was adopted in 1993. That document identified regional coastal areas with critical shoreline problems and recommended a strategy that included beach replenishment to address the issue.

As background, a few years ago, the Navy was proposing to replenish the region's beaches with material dredged from San Diego Bay in conjunction with the homeporting of a Nimitz class nuclear aircraft carrier. The Navy had received permits to place approximately 5.5 million cubic yards of sand dredged from San Diego Bay at 11 receiver sites along the County's coastline. Dredged sand was placed at three locations in Oceanside, Del Mar and Mission Beach. However, the Navy halted its operation after munitions were found in the dredge material during the replenishment at Oceanside.

The six proposed borrow sites are located offshore of the cities of Oceanside, Carlsbad, Encinitas, Del Mar, Mission Beach and Imperial Beach. The Commission is being asked to authorize dredging from five of those borrow sites. The Mission Beach borrow site involves sovereign lands that have been granted by the Legislature to the city of San Diego, pursuant to Chapter 688, Statutes of 1933, with no mineral reservation to the State. As such, the city of San Diego has the responsibility for the day to day management and permitting authority for those sovereign lands.

The twelve receiver beaches and the volume of material to be placed on each beach are as follows:

South Oceanside (380,000 cubic yards); North Carlsbad (240,000 cubic yards); South Carlsbad North (160,000 cubic yards); Batiquitos (118,000 cubic yards); Leucadia (130,000 cubic yards); Moonlight Beach (88,000 cubic yards); Cardiff (104,000 cubic yards); Solana Beach (140,000 cubic yards); Del Mar (180,000 cubic yards); Torrey Pines (240,000 cubic yards); Mission Beach (100,000 cubic yards); and Imperial Beach (120,000 cubic yards). The Commission is being asked to authorize

placement of sand at all locations except South Oceanside, Torrey Pines, Mission Beach and Imperial Beach. The South Oceanside location involves sovereign lands that have been granted by the Legislature to the city of Oceanside pursuant to Chapter 848, Statutes of 1979. The Torrey Pines location involves sovereign lands that have been granted by the Legislature to the City of San Diego pursuant to Chapter 688, Statutes of 1933. The Mission Beach location involves sovereign and proprietary lands that have been granted by the Legislature to the city of San Diego pursuant to Chapter 688, Statutes of 1933 and Chapter 1054, Statutes of 1939. The Imperial Beach location involves sovereign lands that have been granted by the Legislature to the San Diego Unified Port District pursuant to Chapter 67, Statutes of 1962, First Extraordinary Session, as amended by Chapter 168, Statutes of 1990. As stated above, the grantees have permitting authority for the sovereign lands at those four locations.

The boundary between the sovereign lands of the Pacific Ocean and adjacent upland property is the Ordinary High Water Mark. When an area is in a state of nature, that boundary may be located by referring to the Mean High Tide Line. However, if the shoreline has moved seaward due to man made influences, such as by filling, a study would be necessary to determine the location of the boundary. Therefore, Commission staff has requested that the applicant provide detailed shoreline profile information, prior to and upon completion of deposition.

3. An EIR/EA was prepared and certified for this project by SANDAG and the U.S. Navy. Commission staff has reviewed such document and Mitigation Monitoring Program adopted by the lead agency. Findings made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, sections 15091 and 15096) are contained in Exhibit C, attached hereto.

4. 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.

APPROVALS OBTAINED:

Cities of Oceanside, Carlsbad, Encinitas, Solana Beach, Del Mar, San Diego and Imperial Beach; San Diego Unified Port District; State Department of Conservation; State Department of Fish and Game; State Department of Parks and Recreation.

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers; Regional Water Quality Control Board; California Coastal Commission; California State Lands Commission.

EXHIBITS:

A. Location Map
B. Regional Site Map
C1-C6. Borrow and Receiver Site Maps
D. CEQA Findings
E. Mitigation Monitoring Program
F. Notice of Determination

PERMIT STREAMLINING ACT DEADLINE:

March 5, 2001

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT AN EIR/EA WAS PREPARED AND CERTIFIED FOR THIS PROJECT BY SANDAG/U.S. NAVY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096(h), AS CONTAINED IN EXHIBIT D, ATTACHED HERETO.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT E, ATTACHED HERETO.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE

LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO SAN DIEGO ASSOCIATION OF GOVERNMENTS OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING MARCH 1, 2001, FOR A TERM OF THREE YEARS, FOR DREDGING OF APPROXIMATELY TWO MILLION CUBIC YARDS FROM FIVE OFFSHORE BORROW SITES AND BEACH REPLENISHMENT AT EIGHT RECEIVER SITES ON THE LAND SHOWN ON EXHIBITS C1-C6, ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $1,000,000 TO BE MAINTAINED DURING CONSTRUCTION.

W 25546
SANDAG
Exhibit A

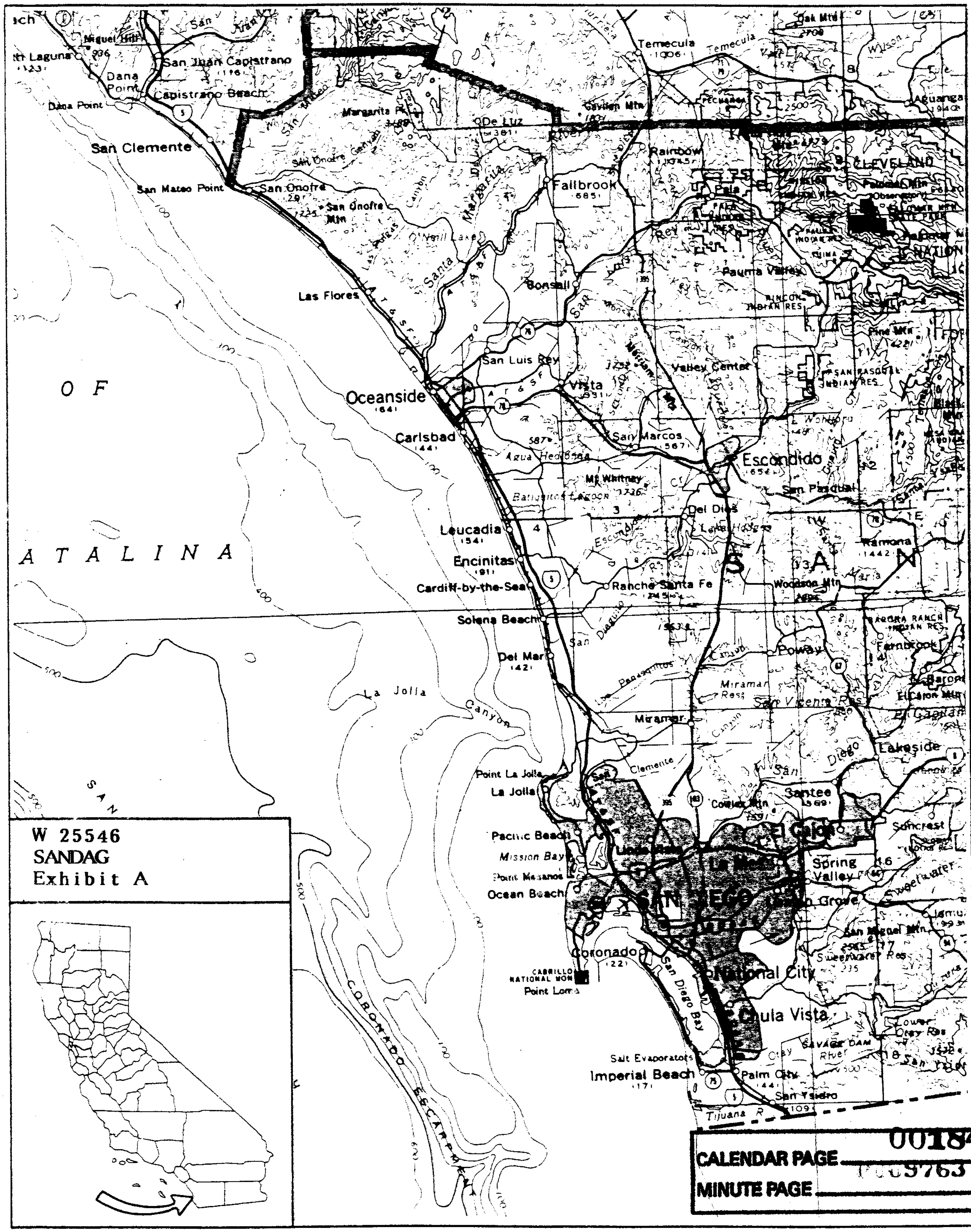

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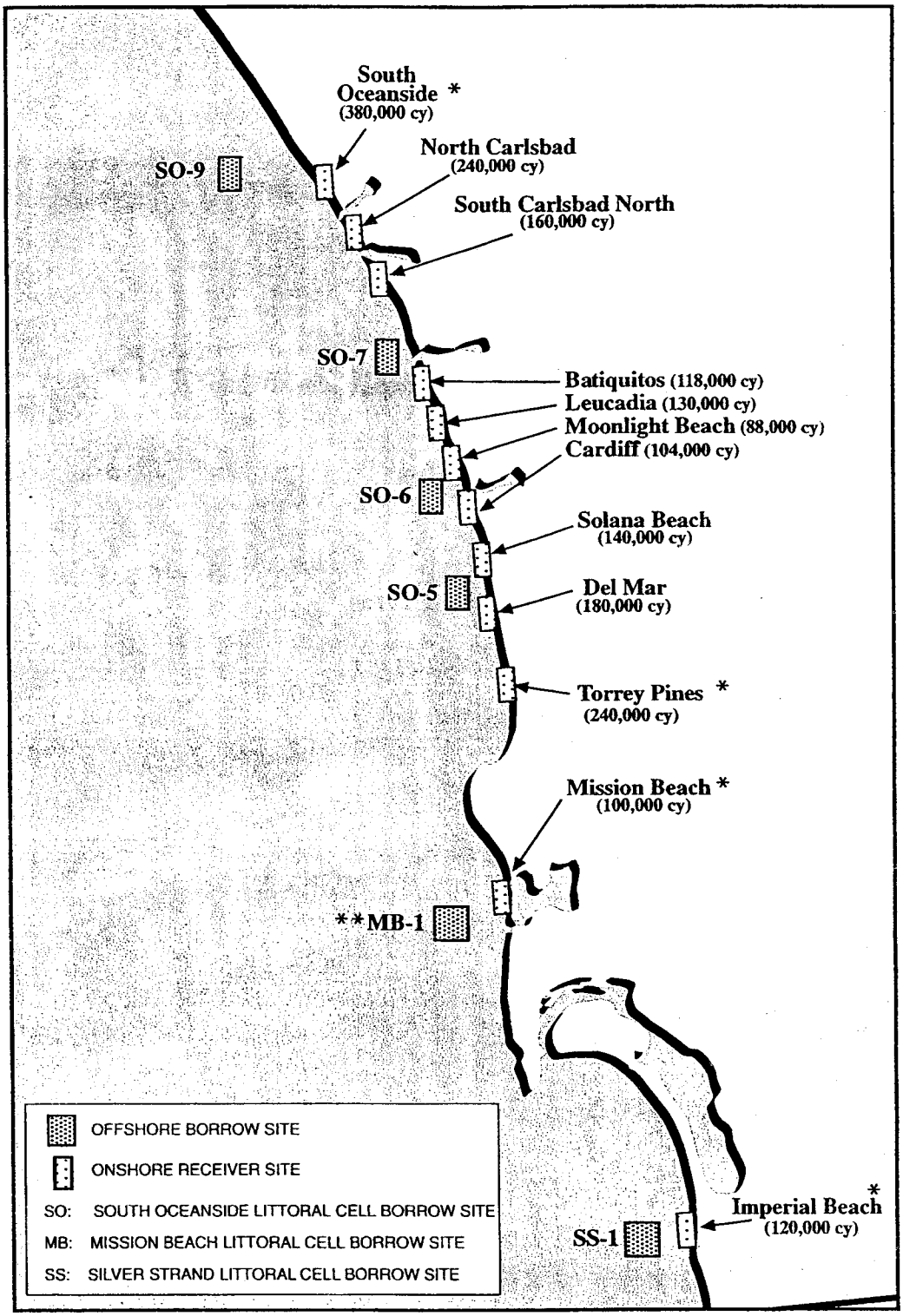
Exhibit B



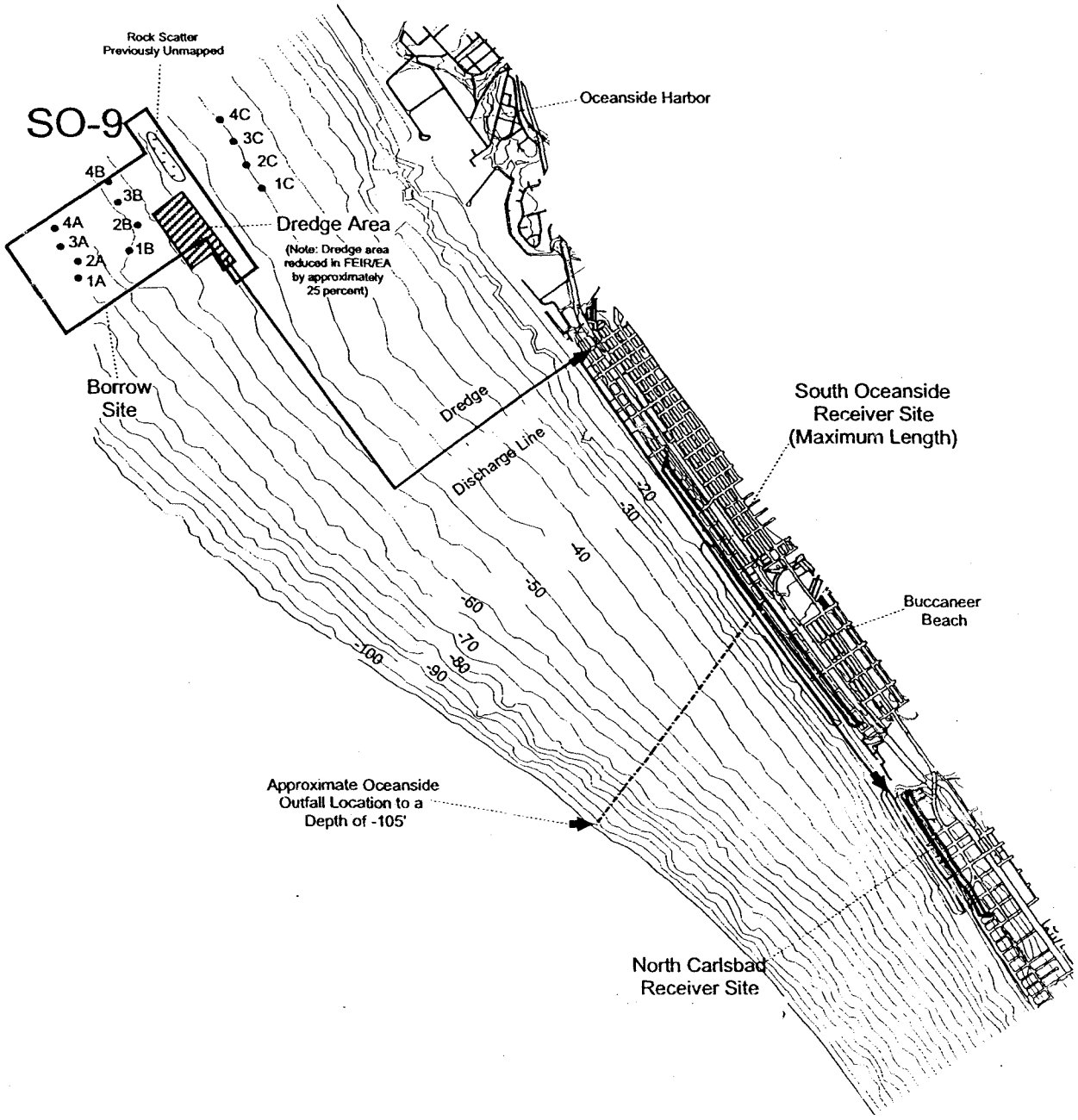
* Sovereign Granted Lands

** Sovereign Granted Lands with no mineral reservation to the State

Borrow and Receiver Sites

Exhibit

C1



• CDFG ARTIFICIAL REEFS

Source: Moffatt & Nichol Engineers

NORTH

5000 0 5000 Feet

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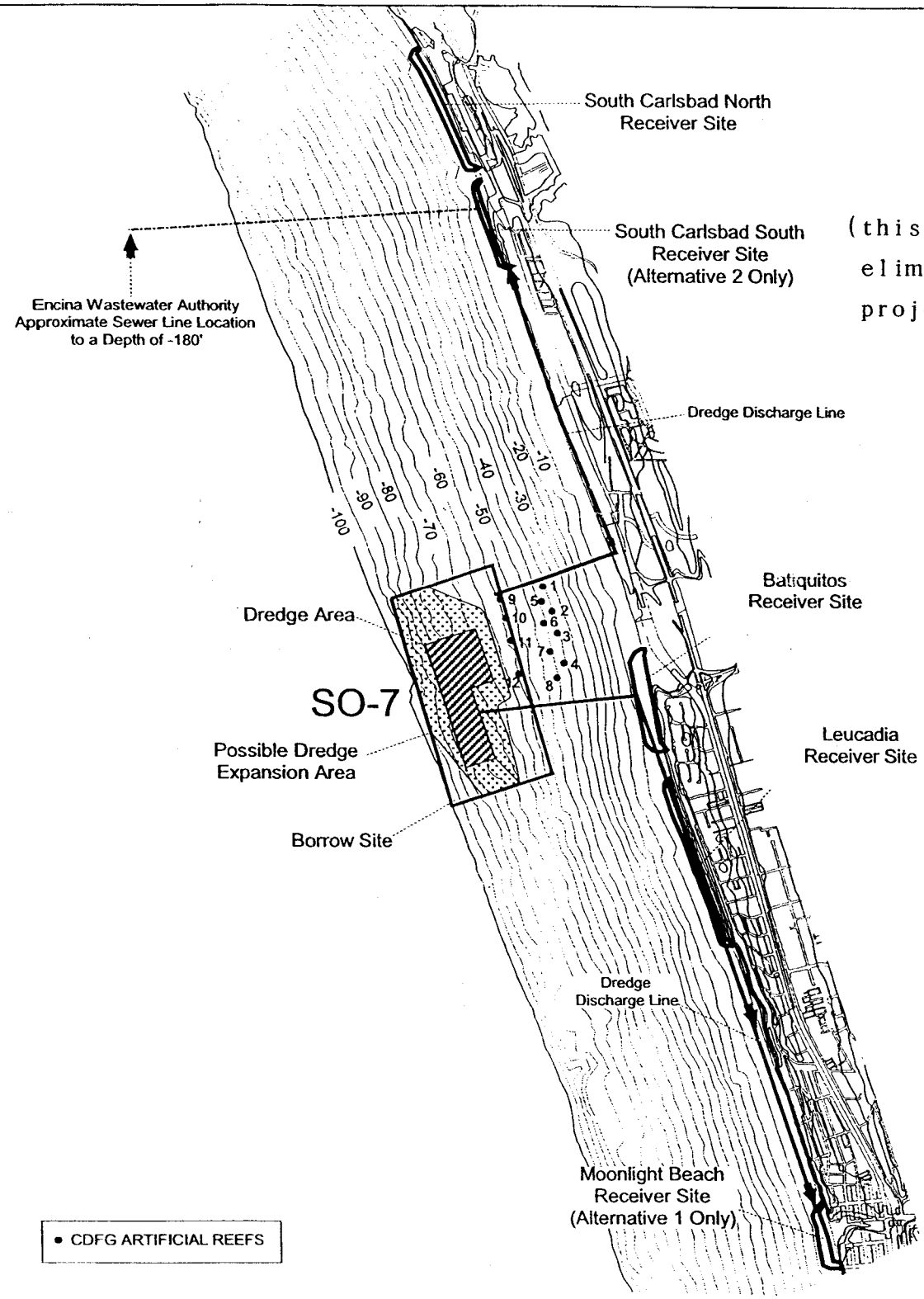
Exhibit

C2



Source: Moffatt & Nichol Engineers

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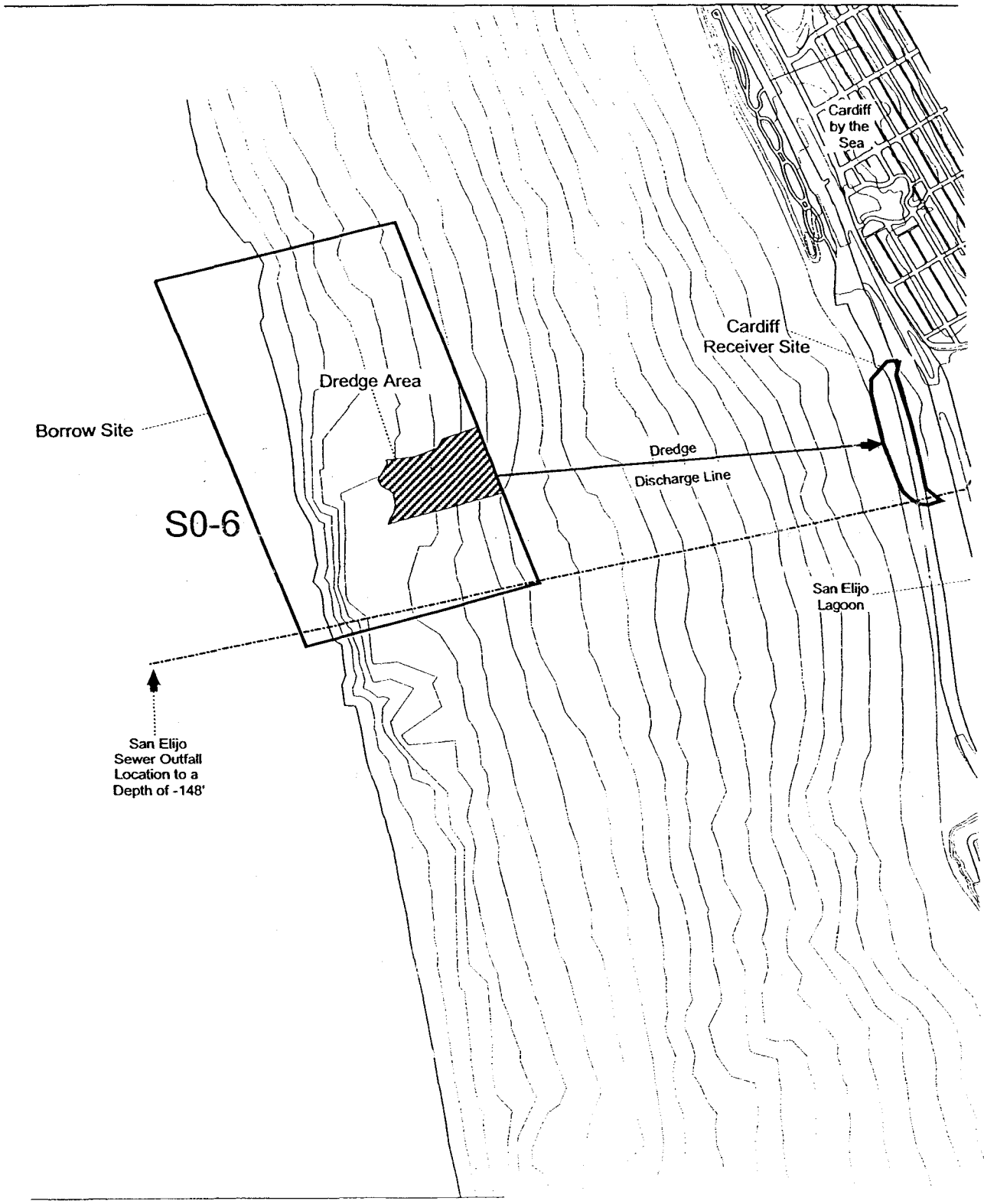
Exhibit

C3



Source: Moffatt & Nichol Engineers

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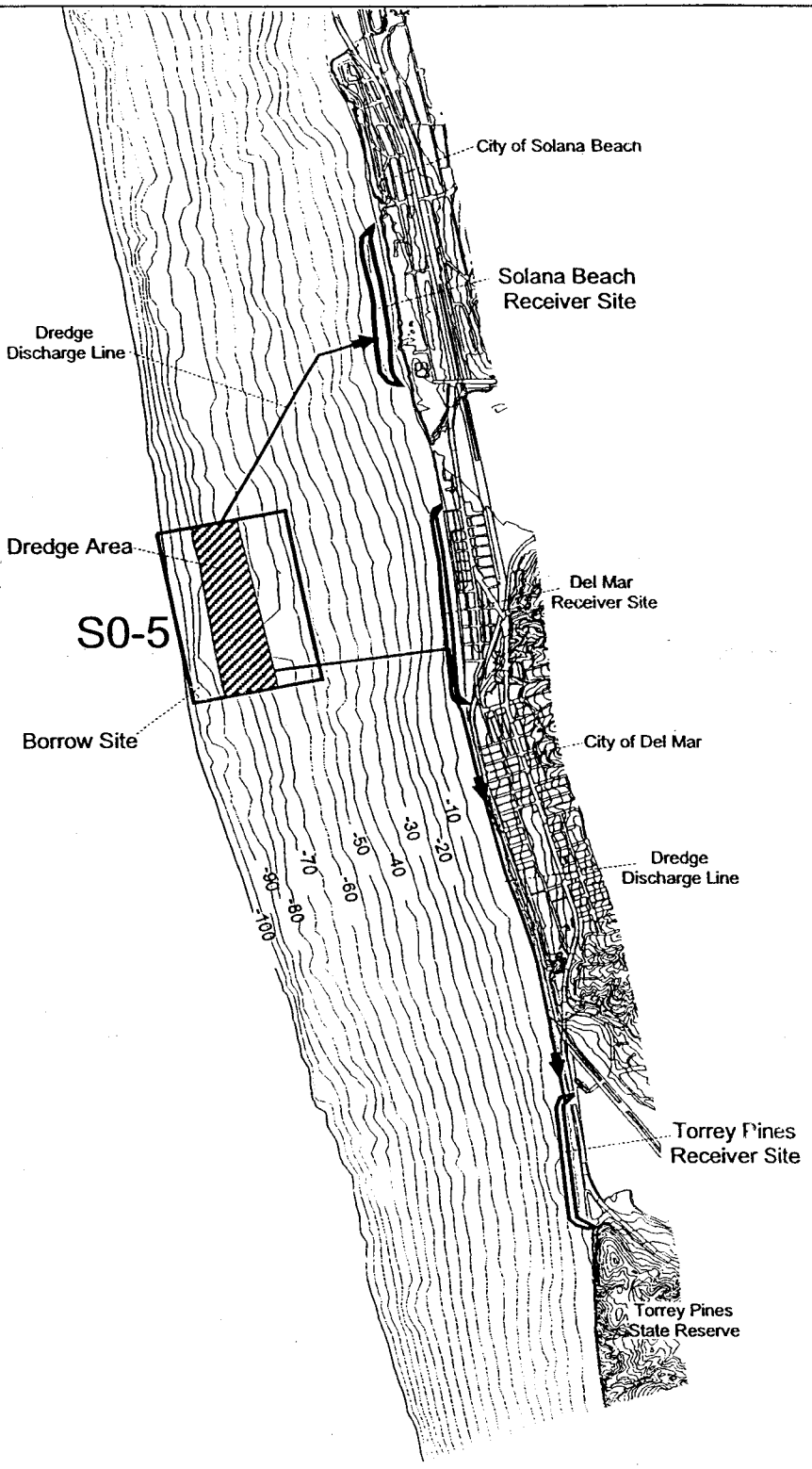
Exhibit

C4



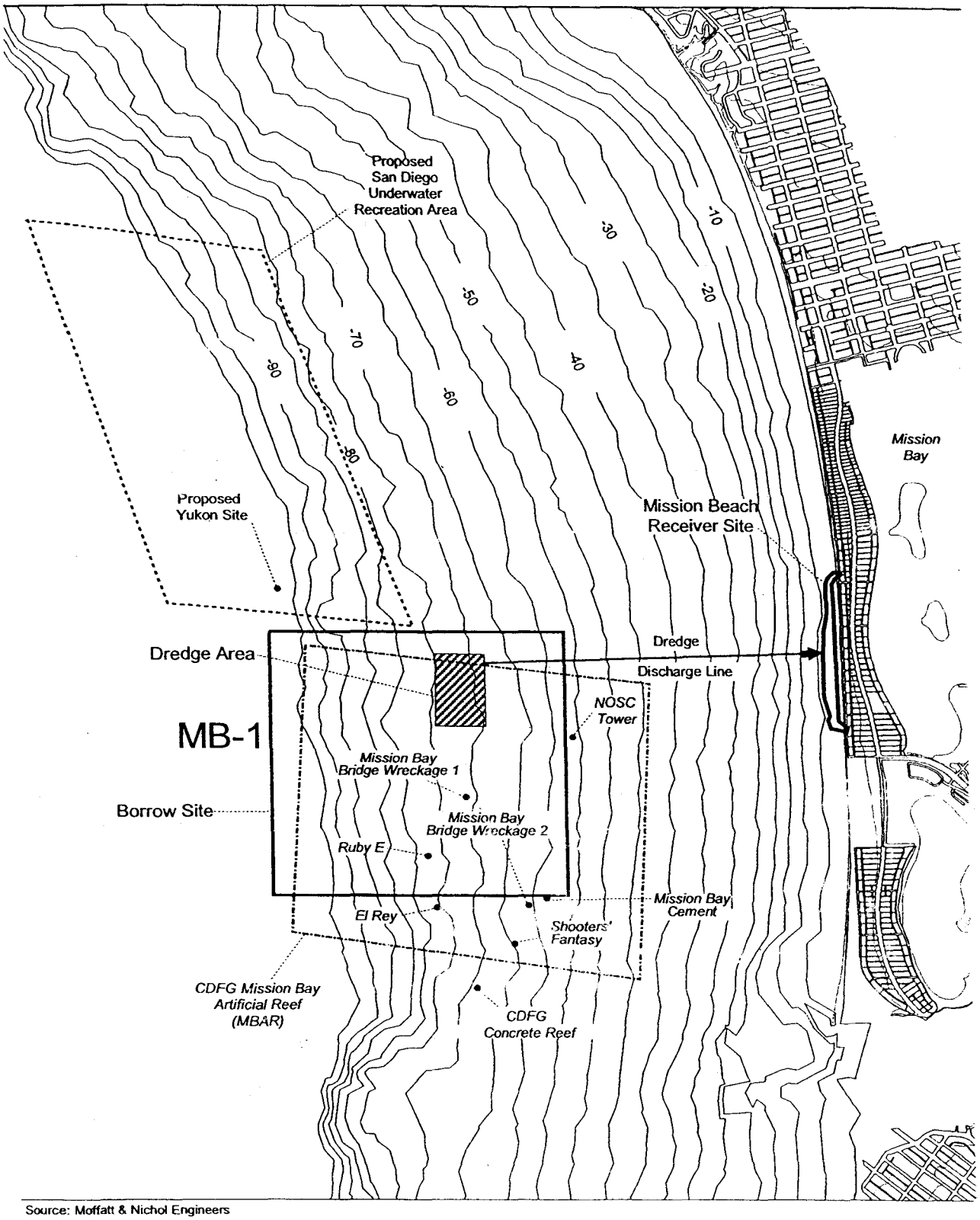
Source: Moffatt & Nichol Engineers

NORTH

4150 0 4150 Feet

Exhibit

C5



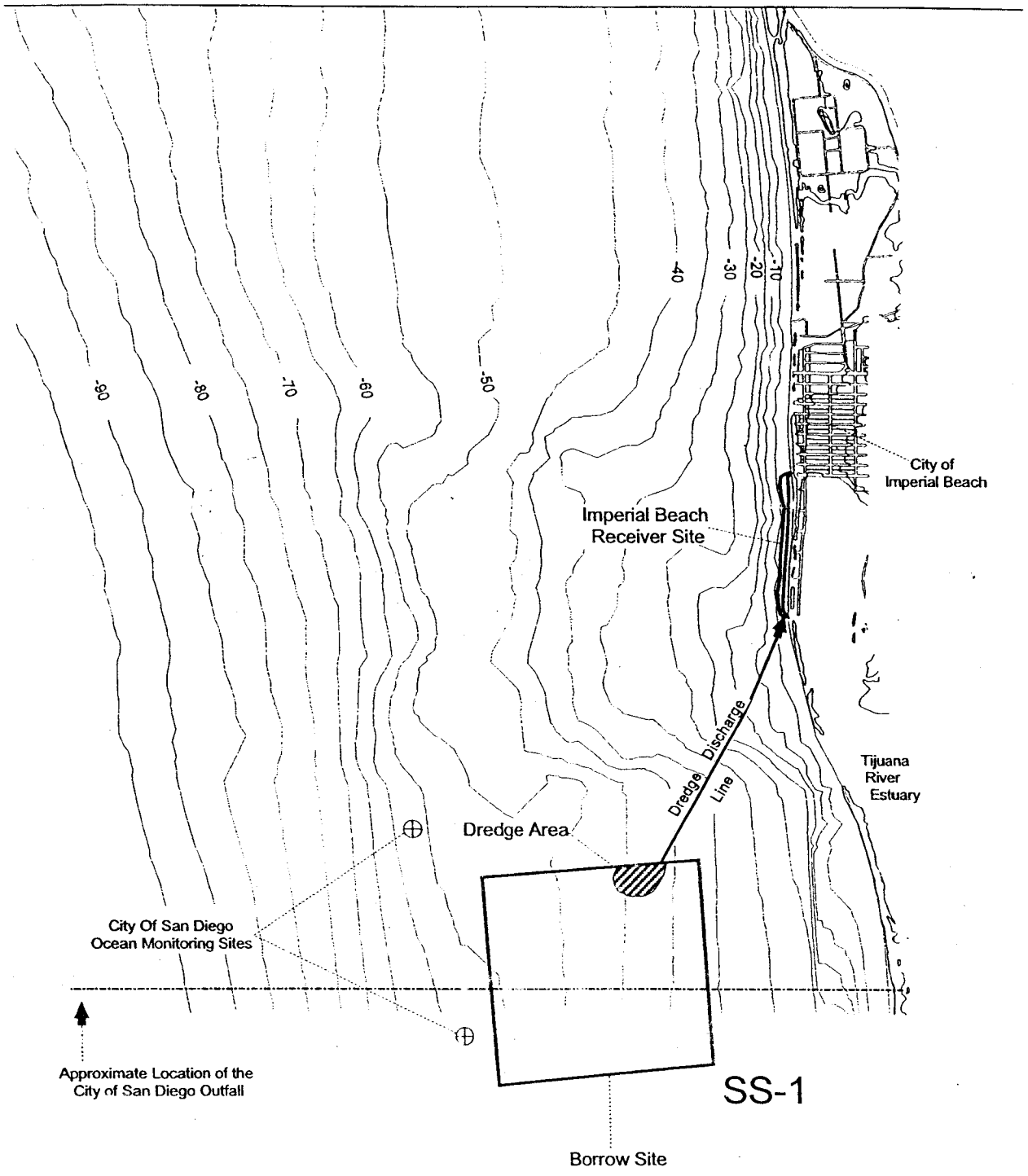
Source: Moffatt & Nichol Engineers

NORTH

2500 0 2500 Feet

Exhibit

C6



Source: Moffatt & Nichol Engineers

NORTH

4000 0 4000 Feet

CALENDAR PAGE 00191

MINUTE PAGE

Exhibit D
CEQA Findings

San Diego
ASSOCIATION OF
GOVERNMENTS

401 B Street, Suite 800
San Diego, California 92101
(619) 595-5300 • Fax (619) 595-5305
http://www.sandag.cog.ca.us

RESOLUTION No. 2000-69

CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT AND SELECTING A PROJECT ALTERNATIVE FOR THE REGIONAL BEACH SAND PROJECT

WHEREAS, the San Diego Association of Governments, a joint powers agency, has been coordinating with the Cities of Oceanside, Carlsbad, Encinitas, Solana Beach, Del Mar, San Diego, Coronado, and Imperial Beach as well as other local, state, and federal agencies and organizations on the Regional Beach Sand Project; and

WHEREAS, a joint Environmental Impact Report/Environmental Assessment (EIR/EA) (SCH#1999041104) describing the potential environmental impacts of the proposed Regional Beach Sand Project has been prepared pursuant to the California Environmental Quality Act of 1970 and the National Environmental Policy Act of 1969; and

WHEREAS, the EIR/EA analyzed the impacts of two construction scenarios for two project alternatives and the No Project Alternative; and

WHEREAS, the Public Notice and review procedures required by both the California Environmental Quality Act and the National Environmental Policy Act have been complied with; and

WHEREAS, SANDAG (401 B Street, Suite 800, San Diego, CA 92101, ph. 619-595-5300) is the custodian of document and supporting materials which constitute the record of the proceedings upon which the decision will be based and will provide such materials upon request; and

WHEREAS, the Final Environmental Impact Report reflects the independent judgement and analysis of SANDAG and has been presented to the SANDAG Board of Directors for consideration prior to taking action on the Regional Beach Sand Project; NOW THEREFORE

BE IT RESOLVED that the SANDAG Board of Directors certifies the Final Environmental Impact Report which has been completed in compliance with the California Environmental Quality Act and hereby selects project alternative 1a from the EIR/EA as the "project" which assumes 24 hour-per-day, 7 day-per week construction activity and would place 2 million cubic yards of sand at 12 receiver sites.

BE IT FURTHER RESOLVED that the SANDAG Board of Directors makes the following finding/conclusion:

1. Public Resources Code Section 21081(a)(1)

The SANDAG Board of Directors, having reviewed and considered the information contained in the Final EIR for the project and the public record, finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. The measures that have been incorporated into the project are summarized in attachment A.

PASSED AND ADOPTED this 23rd day of June, 2000.

CHAIRPERSON

ATTEST: SECRETARY

Attachment A to Resolution 2000-69

SUMMARY PROJECT ALTERATIONS AND/ OR MITIGATION MEASURES FOR THE REGIONAL BEACH SAND PROJECT

This document serves as the summary conclusions for the Environmental Impact Report/Environmental Assessment (EIR/EA) evaluating the San Diego Regional Beach Sand Project (RBSP) and serves three main purposes. First, a summary discussion of the process by which alternatives were derived is provided. Next, for the alternative selected for implementation of the project (Alternative 1a), a summary analysis of why no significant environmental impacts would occur for each environmental issue area is given. Where appropriate, project design features, monitoring, and mitigation measures (if necessary) are discussed. Finally, the rationale for not recirculating the Draft EIR/EA is provided.

The RBSP proposes to replenish approximately 2 million cubic yards (cy) of beach-quality sand on 12 receiver sites in the San Diego region (Alternative 1a in the EIR/EA). The receiver sites are located from Oceanside in the north to Imperial Beach in the south. Sand would be dredged from up to six offshore borrow sites. The purpose of the proposed beach replenishment project is to replenish beaches in accordance with the request submitted to the Navy by SANDAG's Shoreline Erosion Committee (SEC) in 1996. The proposed action would serve four main functions: 1) to replenish the three littoral cells in the San Diego region and receiver sites with suitable beach sand; 2) to provide enhanced recreational opportunities and access at the receiver sites; 3) to enhance the tourism potential of the San Diego region; and 4) to increase protection of public property and infrastructure. Another project feature is to establish replenishment sites which can be useful in evaluating the predictions of the state-of-the-art modeling used in this process and thereby assist with any potential future beach replenishment efforts in the region.

PROCESS BY WHICH ALTERNATIVES WERE DERIVED

When the engineering design and environmental process was initiated in Spring 1999, the SEC's goal was to maximize sand replenishment at regional beaches within the fixed budget. The funding for the project consists of $14.3 million from two sources. The federal government has committed $9.63 million and the State of California has committed $4.7 million. Given the available funds, estimated cost for environmental compliance, engineering design plan and costs for dredging, an estimated range of 2 to 3 million cy was calculated. To successfully implement the project, SANDAG directed the environmental and engineering consultants to create a project in the most environmentally sensitive manner and to, by design, avoid significant environmental impacts. By designing such a project, SANDAG could more readily obtain necessary permit approvals, minimize costs for post-construction monitoring and mitigation, and maximize funds to pay for dredging, thereby maximizing sand quantity.

SANDAG initiated an iterative process of identifying sensitive resources, defining appropriate borrow sites and dredge locations, modeling sand transport and designing appropriate receiver sites and footprints. Throughout this process, the resource agencies were consulted and their input utilized (Sections 1.5 and 7.0 of the EIR/EA). The SEC was kept informed and provided

guidance at key decision points. Over time, some potential borrow sites were eliminated from further consideration, dredge locations were altered, receiver site footprints were modified, and sand quantities varied.

To define appropriate borrow sites, ten potential offshore borrow sites were evaluated for beach replenishment suitability based on grain size and sediment. Of those, four were eliminated. Within the remaining six borrow sites, the dredge locations were refined over time to avoid resources that were identified during the environmental process, e.g., reefs and underwater archaeological sites. The borrow sites which were eliminated and/or modified are described in Section 2.3 of the Final EIR/EA.

To predict the movement of sand once placed on the various receiver sites, and therefore potential impacts to sensitive resources, both analytical and numerical modeling (using the GENESIS model) were performed. Four receiver sites were modified in length and location to avoid direct impact to resources, typically reefs (Section 2.3 of the Final EIR/EA). Modeling was performed again with a maximum 3 million cy alternative and the refined receiver sites. Potential worst-case impacts to sensitive marine resources were quantified. In an attempt to further reduce impacts, various scenarios were generated with less sand overall (2 million cubic yards). In January 2000, the SEC authorized consideration of two potential alternatives having a quantity of 2 million cy and those two alternatives were evaluated in detail in the EIR/EA. More information about the alternatives eliminated from detailed consideration is found in Section 2.3 of the EIR/EA.

SUMMARY OF ENVIRONMENTAL ANALYSIS

Implementation of Alternative 1a would not result in any long-term significant direct or indirect effects because project design features have been incorporated into the project to avoid impacts. A monitoring program has been designed to verify no significant long-term impacts but if monitoring does identify such impacts, then mitigation would be implemented as specified in the Final EIR/EA. A summary of the potential environmental effects for each issue in the California Environmental Quality Act (CEQA) Environmental Checklist (Appendix G of CEQA) is provided below. Each issue area was analyzed in at least one of two documents: the Final EIR/EA and the Environmental Initial Study (found in Appendix B of the Final EIR/EA.

Geology and Soils

After placement of sand onto a receiver site, the existing beach area north and south of the receiver site would widen as a result of longshore and cross-shore spreading. No long-term significant impacts to coastal geology are anticipated due to sediment transport or the increased sediment thickness at the existing, seasonal offshore bar. This is because the estimated increased thickness at the offshore bars would be minimal in size (less than one foot and typically in the range of less than one-half foot) and short term. No significant geology and soils impacts are anticipated to occur at the borrow sites, as the proposed dredging activities would remove sand from borrow sites outside (deeper than) the depth of closure and place sand within the three littoral cells. New sand would be introduced to the system. As such, the borrow sites would not intercept sand that typically rebuilds beaches in the sur[illegible]

Accordingly, no mitigation measures would be necessary as stated in Section 4.1 of the Final EIR/EA.

Coastal Wetlands

Turbidity plumes would be localized near the receiver site boundaries; if project-related turbidity did enter any of the various lagoons, particulate concentrations would be low given the distance to the lagoon and rapid settling rate of the predominantly sandy material. Impacts would not be significant. The proposed project may incrementally increase the volume of sediment flow into the lagoons over that which occurs currently for several lagoons.

A lagoon monitoring program would be implemented as part of this project to verify no significant impacts or implement fair-share maintenance dredging or lagoon mouth opening. Therefore, significant impacts would not result (refer to Section 4.2 of the Final EIR/EA).

Monitoring Post-Construction: The following monitoring and mitigation (if necessary) requirements have been incorporated into the project to reduce the potential for significant effects, as stated in Section 2.5 of the Final EIR/EA. The monitoring plan is derived from an ongoing monitoring program being implemented by the U.S. Navy for a previous sand replenishment project.

The Navy committed to a four-year lagoon monitoring program at Agua Hedionda Lagoon, Batiquitos Lagoon, San Elijo Lagoon, San Dieguito Lagoon, and Los Peñasquitos Lagoon to evaluate lagoon mouth closures and/or increased sand accumulation rates. SANDAG is currently participating in an annual lagoon monitoring program as part of that program. The intent of lagoon monitoring would be to determine to what extent sand deposition and lagoon mouth closures are related to the Regional Beach Sand Project versus other sand sources and coastal processes. The determination would be made by the U.S. Army Corps of Engineers (USACOE) in consultation with the resource agencies. Project monitoring would rely on a comparison of surveyed beach transects which bracket each lagoon mouth between current year changes and historical data, comparison of triangulated irregular network (TIN) maps and transects to recent lagoon monitoring, aerial overflights, as well as an evaluation of non-project inputs (i.e., other beach replenishment projects including maintenance dredging) versus project inputs to determine how much of the material in the lagoon, if any, is project-related. This monitoring effort would also occur for four years subsequent to the action.

Post-Project Mitigation (If Necessary): If the monitoring effort is unable to determine to the satisfaction of the resource agencies, the project impact at a specific lagoon, then potential, worst-case sedimentation quantities as derived in Appendix C may be utilized. If the lagoons experience sand input above typical conditions, which are related to the RBSP, funding would be provided to allow for sediment removal or additional mouth opening in concert with other on-going maintenance efforts at each lagoon. This determination would be made by the resource agencies based on review of the monitoring reports (twice yearly and at project completion). Funding will be identified for potential mitigation, and a "not-to-exceed" cap negotiated, as part of the permit process.

Water Resources

None of the fill material would exceed the criteria established in the California Ocean Plan for bacteria, dissolved oxygen, contaminants and sulfides, nutrients or pH and there would be no impacts associated with placement of fill material at the receiver sites. No violation of the California Ocean Plan objectives would occur from dredging any of the borrow sites. Based on the relatively localized nature of the dredge turbidity plumes and rapid diluting capacity of the open ocean, turbidity would not result in significant impacts to water quality at any of the borrow sites. Due to the localized nature of turbidity plumes, and the presence of training dikes, there would be no significant impacts to water quality at the receiver sites. This assessment is supported by Section 4.3 of the Final EIR/EA.

However, it is likely that water quality monitoring would be required as part of the Regional Water Quality Control Board (RWQCB) 401 Certification Order. If monitoring indicates that suspended particulate concentrations outside the zone of initial dilution exceeds background concentrations by more than 20 percent, the dredging operation will be suspended and appropriate measures taken to ensure compliance with the 401 Certification.

Biological Resources

There would be no significant direct impacts from sand placement as sensitive resources (vegetated hard substrate) have been avoided by design and non-sensitive biological resources (such as benthic invertebrates) at the receiver sites are adapted to seasonal burial and would quickly recolonize. A monitoring program has been designed for the period of sand placement to ensure that no significant impacts occur to grunion (see below). There would be no significant indirect impacts due to turbidity or to shorebird foraging because each receiver site has unaffected shoreline nearby to allow for foraging and recolonization of the receiver site would be rapid.

Sediment transport patterns predicted by the model indicate areas of higher sedimentation risk (based on duration and depth) at locations near Oceanside, North Carlsbad, Batiquitos, Moonlight Beach, Solana Beach and Del Mar. Under the worst-case, partial sedimentation is predicted on up to 3.2 acres of reefs, near three receiver sites, which support some giant kelp, 0.27 acre of reef with feather boa, and 0.24 acre of reef with surfgrass. Sedimentation would not result in significant, long-term indirect impacts because the surfgrass leaves would extend well above the predicted sediment layer and allow for long-term recovery, and the kelp areas to be impacted areas are either sparse, subject to only short-term coverage and/or not within the historic areas of kelp persistence. Monitoring would be implemented to verify no significant impacts (see below). Further, a mitigation requirement has been established to ensure mitigation if warranted by monitoring (see below).

Dredging would impact up to 330 acres of surface area which is less than two percent of the available shelf habitat. Biota in these locations would recover quickly and the impact would not be significant. Dredging would create localized turbidity plumes but buffers have been provided between the dredge area and marine resources (i.e., artificial reefs) and the amount of turbidity reaching reefs/kelp would be expected to be within normal ranges. There would be no significant impacts. This assessment is supported by Section 4.4 of the Final EIR/EA.

Monitoring During and Post-Construction: The following monitoring and mitigation (if necessary) requirements have been incorporated into the project to reduce the potential for significant effects, as stated in Section 2.5 of the Final EIR/EA. The requirements include monitoring during construction to avoid areas of spawning grunion, and post-construction monitoring to verify no long-term adverse impacts to rocky intertidal, subtidal, and kelp habitat. The habitat monitoring plan is derived from an ongoing monitoring program being implemented by the U.S. Navy for a previous sand replenishment project.

The RBSP monitoring program will continue monitoring as many of the existing Navy sites as practicable, while verifying no long-term impacts at the locations where this project predicts possible sand deposition. While the exact monitoring locations will be finalized in concert with the resource and regulatory agencies, tentative locations include Point Loma (control) and Cardiff (test) for rocky intertidal habitat; Cardiff, North Carlsbad and Leucadia (test) and one new site north of Table Tops or Swamis (control) for subtidal habitat; and a new location off North Carlsbad, Solana Beach/Cardiff, Batiquitos, Moonlight Beach/Boneyards (test) and Point Loma, possibly Swami's (control) for kelp habitat. A new transect perpendicular to the coast would be implemented at North Carlsbad under subtidal to verify no impacts to surfgrass. Current baseline data is available for existing Navy monitoring sites, but where new test and control sites would be selected, baseline monitoring would be completed prior to project initiation. Possible new sites that would require baseline monitoring include the perpendicular transect at North Carlsbad, the selected control site for subtidal habitat, and Batiquitos, Moonlight Beach/Boneyards and North Carlsbad test sites for kelp habitat.

Grunion Monitoring: Monitoring would occur during discharge operations at those receiver sites with suitable grunion habitat to establish a buffer around observed grunion spawning locals. The buffer would remain in place for 14 days until the grunion eggs hatch, and surveys show no subsequent spawning has occurred in the same area. Construction could continue elsewhere in the receiver site during this period. Monitoring by a qualified biologist would only occur during the spawning season (March through August) and during the dates specified by the California Department of Fish and Game (CDFG) in their annual pamphlet *Expected Grunion Runs*. A schematic drawing of any diked buffer area would be submitted to the resource agencies.

Rocky Intertidal Habitat Monitoring: The monitoring program for rocky intertidal habitat would involve periodic checks of fixed plots and fixed transects to observe identified target species of vegetation, barnacles, and sea stars. Species abundance would be estimated based on counts and measurements within those fixed sample locations. Timed searches and reconnaissance surveys would also be conducted, including video-recording. Surveys would occur twice a year (spring and fall) for four years. Sample reports would be provided after each survey and a yearly report would be required after each full year of monitoring. A final report would be prepared at the completion of the four-year monitoring effort.

Subtidal Monitoring: The subtidal monitoring would involve establishment of fixed transects inside a fixed quadrant within which the substrate would be characterized in terms of percentage of sand, rock, rock type, vertical relief and depth of sand cover. Within that quadrant, the biologist would census abundance of key indicator species. Habitat type and species abundance along each transect would be mapped and d[illegible] and a geographic

Information System (GIS) database. Persistence or change in habitat over time would be documented. Sediment markers would be permanently established and monitored as well. It will be important in the monitoring plan to design a standard method for accurately recording changes in sand depth. Surveys would occur twice annually in spring and fall. Annual reports would be provided, as well as a final report at the end of four years.

Kelp Monitoring: Kelp monitoring would be performed using divers at the study reefs to sample the kelp and reef biota within established areas. Transects would be established and substrate mapped to characterize the percentage of sand, rock, rock type, vertical relief and depth of sand cover. Key indicator species (plants and invertebrates) would be inventoried for type and abundance. Photographs and video would be used for recordation. Sediment markers and buoys would be established. For the first two years, monitoring would occur periodically and thereafter annually. Sampling reports would be required as surveyed, annual reports every year, and then a final report at the conclusion of monitoring (after four years).

Post-Project Mitigation (If Necessary): If monitoring documents a significant, long-term adverse impact to sensitive marine resources resulting from discharge activities as confirmed by the resource agencies based on review of the monitoring reports (twice yearly and at project completion), then restoration of like habitat at a 1:1 ratio would be proposed as a first priority. Consideration would be given to the construction of artificial reefs as mitigation to offset project impacts at a 1:1 ratio if like habitat restoration efforts were not feasible as determined by the USACOE, in consultation with the resource agencies. Like the Navy, SANDAG would negotiate a "not-to-exceed" cap on mitigation costs as a key part of the permit conditions related to mitigation.

Cultural Resources

While the borrow sites have been designed to avoid locations of high probability for cultural resources as much as possible, there are sediments of moderate to high probability for archaeological sites within the dredge footprint of all borrow sites. A monitoring program has been designed to identify archaeological sites during dredging activities, and if such resources are found, SANDAG would ensure subsequent avoidance. The monitoring program would be guided by the probability for occurrence of archaeological resources. Where there is a high probability of occurrence, the monitor would be present during dredging of the borrow sites (cutterhead dredge) or when material is being pumped to the receiver site (hopper dredge), on a daily basis. This applies to SO-9 at depths below nine feet, SO-6, MB-1 at depths below 12 feet and SS-1 (MB-, SO-, and SS- refer to specific borrow areas in one of the three littoral cells in the region: South Oceanside, Mission Beach, or Silver Strand). Where the probability is moderate, the monitor would be present as above on alternate days. This applies to SO-9 at depths higher than 9 feet, SO-7, SO-5, and MB-1 at depths greater than 12 feet. If disturbance occurs, that portion of the borrow site would be permanently avoided, a 250-foot buffer established, and the site recorded at the appropriate clearinghouse.

Any known historic sites have been avoided by design. But, there are also unidentified side-scan sonar targets in SO-9 and MB-1 that need to be investigated for historic resources prior to dredging (by diver or remotely operated vehicle (ROV)). If they ~~are historic features they~~

would be avoided and a suitable buffer established. Complete side-scan will be obtained and interpreted at SO-9 and SS-1 to verify no historic targets and to ensure no damage to the dredge.

Land and Water Use

The project would result in a beneficial impact by enhancing/creating new recreational beach area, totaling 378 acres (including existing beach area plus new area post-construction). There would not be significant, long-term impacts to surfing or other recreational pursuits. Some sediment accumulation is anticipated in reef areas, however, natural transport processes move sediments through these reef areas under normal conditions. Changes in the formation of offshore sandbars is a naturally occurring event, and there are seasonal periodic changes to surfing localities. Due to the short-term nature of dredging and distance from underwater resources, no significant long-term impacts are anticipated at the borrow sites. The replenishment action would not preclude the viability of any planned land use, either onshore or offshore. This assessment is supported by Section 4.6 of the Final EIR/EA.

Aesthetics

Because operations would be short-term overall, the daily construction area would travel down the beach which would reduce the visual contrast to any one sensitive viewer, and the end result would be enhancement of the region's beaches; visual impact would be considered less than significant. Any discoloration of the sediment would be short-term (USACOE 1984) and no permanent adverse visual conditions would result from the discoloration of fill materials at any of the receiver beaches. Dredging activity at the borrow sites will not be highly evident or dominate the landscape, and the impact would not be regarded as significant. This assessment is supported by Section 4.7 of the Final EIR/EA.

Socioeconomics

There would be no significant direct impacts to the commercial fishery as a result of area preclusion of fishing effort. This conclusion is based on the distribution of the commercial catch among fish blocks along the coast, and the relatively low contribution of the North County area, where most dredging and sand placement would occur, to the overall area fishery. Also, there would be no long-term damage to target species populations as a result of sedimentation of nursery habitat areas for commercial species. Localized impacts are predicted to occur over the combined 3.7 acres of reef areas supporting surfgrass, kelp, and feather boa that may experience partial sedimentation under worst-case assumptions, and may be significant for small areas, but are not expected to result in a significant impact to lobsters at the local population level.

In terms of the regional fishery, there would be no significant impact to the overall fishery. Individual lobster fishermen and, to a lesser extent, urchin and live trap (primarily crab and sheephead) fishermen may experience temporary adverse impacts from short-term displacement from favored small area fishing locations. Nursery habitat may experience short-term localized adverse impacts but the relative size of potentially affected areas (0.24 acre surfgrass, 0.3 acre of feather boa, and 3.2 acres kelp) would be insignificant to the overall available habitat. The potential for impacts resulting from gear loss will be minimized through a pro-active effort to coordinate with commercial fishermen in advance of, and during, dredging operations for the borrow site and transit areas. In addition to onshore restrictions, access, an offshore area would be restricted to allow proper anchoring of the dredge and

pumping operations and protect public safety. Each of the dredge locations would be publicized via a U.S. Coast Guard Notice to Mariners. At the initiation of dredge activities, an observer would be aboard the dredge to document any fishing gear in the noticed transit or dredge areas. Gear within these areas, if damaged or destroyed, would not require compensation. If gear outside of the noticed dredge areas or transit corridors is damaged or destroyed, compensation would be the responsibility of the contractor.

Impacts to kelp harvesting activities will be less than significant given the small area of kelp coverage that will experience partial temporary sedimentation and the generally poor quality of kelp habitat within the affected littoral cell. Impacts to sport fishermen and divers will be less than significant. Short-term adverse impacts may be experienced by dive operations in the "Wreck Alley" area off of Mission Beach during the 11 days of dredging operations at the adjacent borrow site, and there may be temporary impacts to sport fishing and diving resulting from localized turbidity plumes at borrow and receiver sites, but not at significant levels. This assessment is supported by Section 4.8 of the Final EIR/EA.

Public Health and Safety

During beach replenishment operations, safety measures would be implemented in the vicinity of the receiver beaches, including fencing, barricades, and flag personnel, as necessary. During replenishment operations, the discharge pipelines (outside the construction zone) would be covered with sand at key access points to create pedestrian bridges and ensure public access. Public health and safety benefits would temporarily result from sand placement at eroded areas adjacent fragile bluffs. A sand, cobble, or earthen ramp would allow for access from lifeguard stations, over the land pipeline, and to the ocean as necessary. SANDAG would coordinate with the respective jurisdiction to temporarily relocate non-permanent lifeguard towers during construction. Near permanent lifeguard towers, the line-of-sight from tower viewing platforms would be preserved. Sediment characterization analyses confirmed that replenishment material is clean beach-quality material and would not pose a threat to public health and safety. Beach fill would not be placed above the height of the existing beach berm so increased scarp heights would not occur. For vessel safety, an approximate 500- by 500-foot buffer area would be maintained around the dredge offshore waters, to allow proper anchoring and pump line operation, and the anchoring area would be included in the Notice to Mariners, which is overseen by the U.S. Coast Guard. No significant impacts would result to public health and safety as stated in Section 4.9 of the Final EIR/EA.

Structures and Utilities

At all receiver sites, any sand placed around storm drain outlets would be dug out to allow proper drainage. The bottom of public stairs and public access ramps may be covered by the fill, which would tend to stabilize the stairways. Sand at the base of lifeguard towers would provide additional protection against storm surge damage and would temporarily benefit the lifeguard towers. Overall, as stated in Section 4.10 of the Final EIR/EA, impacts would be less than significant.

Traffic

Beach replenishment activities would not significantly affect traffic. The project would generate very few trips. Personnel would park in public parking areas and would not create

significant parking impacts given the small size of the land-side beach construction crew (approximately 12 persons). There would be no significant impacts to traffic. This assessment is supported by Section 4.11 of the Final EIR/EA.

The replenishment of receiver sites where there is currently little sand, such as Moonlight and Cardiff, could make these locations more attractive to both residents and tourists, and it is expected that traffic could increase accordingly. The use of parking would also increase. Traffic and parking congestion at beaches is an accepted occurrence, and it is not common practice to design infrastructure to accommodate these peak loads. Additionally, the relatively limited amount of sand placed at an individual receiver site is predicted to remain noticeable at the beach for an average of two years (as shown in Table 4.1-1 of the EIR/EA). This would reduce the long-term attractiveness of a site relative to other nearby locations, or to its condition prior to project implementation. The long-term impact of the proposed beach sand replenishment on traffic and parking would not be significant.

Air Quality

The sand would be quite moist, and the potential for dust generation would be very low, so impacts would be less than significant. The emissions of CO, ROC and NO_x from dredge and construction equipment would be less than the threshold values and much less than ten percent of the air basin emissions. Therefore, the proposed action is presumed to conform to the State Implementation Plan (SIP), and a formal conformity determination is not required. Emissions would not expose sensitive receptors to pollutant concentrations. Air quality impacts would be less than significant, as supported by Section 4.12 of the Final EIR/EA.

Noise

While dredging activity and placement of the conveyor pipe and sand distribution at the receiver sites would generate noise, the impact would be less than significant. Nighttime and weekend work at receiver beaches would be performed under variance from the local noise ordinance where required. Residents of homes near the receiver sites would be notified prior to the work, and adverse nighttime noise events would occur for no more than three consecutive days within 200 feet of the homes. Booster pumps would be electric motor driven or diesel engines that would be shielded to attenuate noise to less than significant levels. This assessment is supported by Section 4.13 of the Final EIR/EA.

Agricultural Resources

No agricultural land would be affected under the proposed project, as stated in the Environmental Checklist (Appendix B of Final EIR/EA).

Mineral Resources

As stated in the Environmental Checklist (Appendix B of Final EIR/EA), testing of subsurface deposits indicate that no known mineral resources would be affected by the proposed project.

Population and Housing

The proposed project would not induce substantial population growth, displace existing housing, or displace people, as stated in the Environmental Checklist (Appendix B of Final EIR/EA).

Public Services

No public services (including police and fire protection), facilities, or infrastructure (including parks and schools) would be affected by the proposed dredging and beach replenishment operations, as stated in the Environmental Checklist (Appendix B of Final EIR/EA).

RATIONALE FOR NOT RECIRCULATING DRAFT EIR/ EA

Section 15088.5 of the CEQA Guidelines states that a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review but before certification. New information has been added and revised in the Final EIR. For an EIR to qualify for recirculation, the new information would have to be "significant", meaning that the EIR has been changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:

1. A new significant environmental impact would result from the project or a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Based on comments received, sections of the Draft EIR/EA have been clarified or expanded in the Final EIR/EA, but no new significant impacts have been identified, no impacts increased in severity, and no new feasible alternative or mitigation measure has been identified. From various comment letters received on the Draft EIR/EA, the document was considered "adequate" by the Agua Hedionda Lagoon Foundation, the United States Fish and Wildlife Service (USFWS) found that the document overall did "...a good job in analyzing the proposed project," and the California Coastal Commission stated "We appreciate the thoroughness and clarity of the report, and believe the document generally provides a good analysis of the issues associated with the proposed project." As such, the document was not fundamentally or basically inadequate or conclusory in nature. Therefore, SANDAG finds that no recirculation of the EIR/EA is necessary.

Exhibit E

Summary of Design Features/ Monitoring Commitments and Mitigation Measures (If Necessary)

	Purpose	Timing	Implementation Responsibility
Design Features			
Construct longitudinal dikes at all receiver sites	Reduce nearshore turbidity	During beach-building	Construction contractor
Maintain project web site with current construction schedule	Timely public notification	At present and continuing through construction	SANDAG
Issue Notice to Mariners and maintain 500-foot buffer around active dredge equipment	Warn boaters/fishermen of dredging activities to ensure avoidance	Before and during dredging activities	Coast Guard (via construction contractor)
Restrict public access at receiver sites and maintain 100-foot buffer around construction areas	Public safety during construction	During beach-building activities	Construction contractor, in coordination with local lifeguards
Relocation of temporary lifeguard towers	Public safety during construction	During beach-building activities	Construction contractor, in coordination with local lifeguards
Sand placement to avoid blocking line-of-sight at permanent lifeguard towers	Public safety during construction	During beach-building activities	Construction contractor, in coordination with local lifeguards
Contain fill material during sand placement near storm drain outlets	Continue proper drainage	During beach-building activities	Construction contractor, in coordination with City Engineer
Generate plan for hazardous spill containment	Ensure minimal contamination from fuel leak, if any	During beach building	Construction contractor
Coordination with commercial fishermen; establishment of offshore transit corridors in consultation with a commercial fishermen representative; issue Notice to Mariners; incorporate notices into SANDAG website	Avoid gear conflicts and provide for compensation if loss occurs	Before and during dredging operations	Coast Guard (via construction contractor) and SANDAG
Condition contractor to avoid traversing CDFG artificial reef areas near SO-9, SO-7, and MB-1 by hopper dredge or discharge pipeline	Avoid direct impacts to artificial reefs	Final engineering	Construction contractor
Condition contractor to make landfall with discharge pipeline, or place mono buoy, north of Seacoast Boulevard in Imperial Beach.	Avoid direct impacts to Tijuana Slough National Wildlife Refuge	Final engineering	Construction contractor

	Purpose	Timing	Implementation Responsibility
use diver or ROV to verify targets are not historic resources. If resources found, establish a 250-foot buffer and record with appropriate clearinghouse			
Water quality monitoring per RWQCB 401 Certification, if outside parameters then halt dredging	Verify localized turbidity influence and permit compliance	During beach building as per RWQCB 401 Certification	Qualified biological consultant retained by SANDAG
Lagoon monitoring via transects, TIN maps, aerial overflights, and research on other sand inputs	Determine project-related sediment in lagoons or lagoon mouth closures	Twice annually for four years, with annual reports and one final report	Qualified hydrologic consultant retained by SANDAG
Post-Project Mitigation Measures (If Necessary)			
Restoration or creation of like habitat at 1:1 ratio for long-term significant impacts to marine resources	Mitigate for significant, long-term impacts to sensitive marine resources caused by sediment transport	Subsequent to resource agency review of monitoring reports and determination that significant impact had occurred	Qualified biological consultant retained by SANDAG
Funding to be provided to current lagoon management entity to pay for dredging or mouth opening	Remove project-related sediment or open lagoon mouth	Subsequent to resource agency review of monitoring reports and determination that significant impact had occurred	SANDAG

Exhibit F 000334

Notice of Determination

Form C

To: ☑ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

☑ County Clerk
County of San Diego
1600 Pacific Highway, Rm 260
San Diego, CA 92101

From: (Public Agency) San Diego Assoc of Govt's
(SANDAG) 401 B Street, Suite 800
San Diego, CA 92101
(Address)

FILED
Gregory J. Smith, Recorder/County Clerk
JUN 23 2000
BY _____ DEPUTY

Subject:
Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

San Diego Regional Beach Sand Project
Project Title

1999041104	Rob Rundle	(619) 595-5649
State Clearinghouse Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/Telephone/Extension

12 beach locations from Oceanside to Imperial Beach in San Diego County
Project Location (include county)

Project Description:
The project proposes to dredge up to 2 million cubic yards of beach quality sand from six offshore borrow sites and place the material on up to 12 receiver sites in the cities of Oceanside, Carlsbad, Encinitas, Solana Beach, Del Mar, San Diego, and Imperial Beach all within San Diego County.

This is to advise that the San Diego Association of Governments ☑ Lead Agency ☐ Responsible Agency has approved the above described project on June 23, 2000 (Date) and has made the following determinations regarding the above described project:

1. The project [☐will ☑will not] have a significant effect on the environment.
2. ☑ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☑were ☐were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [☐was ☑was not] adopted for this project.
5. Findings [☑were ☐were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:
San Diego Association of Governments, 401 B Street, Suite 800, San Diego, CA 92101

Matt Rudle — June 23, 2000 — Senior Regional Planner
Signature (Public Agency) — *Date* — *Title*

Date received for filing at OPR:

FILED IN THE OFFICE OF THE COUNTY CLERK
SAN DIEGO COUNTY ON JUN 23 2000
POSTED JUN 23 2000 REMOVED
RETURNED TO AGENCY ON
DEPUTY

CALENDAR PAGE 00206
MINUTE PAGE 003785