

**FINAL  
ENVIRONMENTAL ASSESSMENT**

**FOR**

**BORROW SITE DREDGING AND TRANSPORTATION  
PALOS VERDES SHELF  
CAPPING DEMONSTRATION PROJECT  
Pacific Ocean  
Palos Verdes, California**

**PREPARED BY**

**U.S. ARMY CORPS OF ENGINEERS  
SOUTH PACIFIC DIVISION  
LOS ANGELES DISTRICT**

**August 2000**



**DEPARTMENT OF THE ARMY**

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REPLY TO  
ATTENTION OF

TRANSMITTAL

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Attached please find a copy of the Final Environmental Assessment prepared for Borrow Site Dredging and Transportation for the Palos Verdes Shelf Capping Demonstration Project. For your information, a copy is also being provided to Latham & Watkins in response to a written request from Shanda Stephenson of Latham & Watkins.

**U.S. ARMY CORPS OF ENGINEERS  
SOUTH PACIFIC DIVISION  
LOS ANGELES DISTRICT**

**FINDING OF NO SIGNIFICANT IMPACT  
FOR THE  
BORROW SITE DREDGING AND TRANSPORTATION  
PALOS VERDES SHELF  
CAPPING DEMONSTRATION PROJECT  
LOS ANGELES COUNTY, CALIFORNIA**

I have reviewed the attached Environmental Assessment (EA) prepared for the project in Los Angeles County. The proposed project is a dredging project within a dredge borrow area with transport of the dredged material to the Palos Verdes Shelf.

The proposed project is required as part of the U. S. Environmental Protection Agency's Engineering Evaluation/Cost Assessment process to select a response action under its Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) authorities for the Palos Verdes Shelf Site. The proposed project will dredge and transport sediments to the Palos Verdes Shelf where the U. S. Environmental Protection Agency will conduct a demonstration project to evaluate the feasibility of an in-situ capping option. A Negative Determination has been submitted in place of a Consistency Determination to the California Coastal Commission for project concurrence. Coastal Commission staff has concurred with the Negative Determination.

Project impacts on marine resources will be minor and short-term. No federally listed species will be adversely affected by project implementation. Therefore, formal Section 7 consultation is not required pursuant to the Endangered Species Act of 1969, as amended.

The implementing regulations for Section 106 of the National Historic Preservation Act (NHPA, 36 CFR 800) allow a federal agency to proceed with a project without further consultation if the project does not have the potential to cause effects on historic properties. Compliance with Section 106 of the NHPA is completed without input from the State Historic Preservation Officer (SHPO). The proposed project meets these criteria.

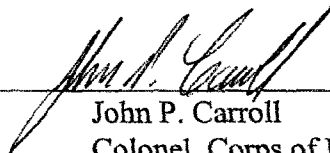
Other resources analyzed, including oceanography and water quality, air quality, noise, and vessel transportation and safety, in this EA are not expected to result in significant adverse impacts.

Hence, I have considered the available information contained in this Environmental Assessment and determined that the impacts resulting from the implementation of the proposed project will not have a significant adverse impact upon the existing environment or the quality of

the human environment; therefore, preparation of an Environmental Impact Statement is not required.

8 August 2000

DATE



John P. Carroll  
Colonel, Corps of Engineers  
District Engineer

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## ACRONYMS

APE	Area of Potential Effects
ARB	Air Resources Board
CAA	Clean Air Act
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Cleanup, and Liability Act
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
DDT	dichlorodiphenyltrichloroethane
EA	Environmental Assessment
EE/CA	Engineering Evaluation/Cost Analysis
EFH	Essential Fish Habitat
EIS	Environmental Impact Statement
EIS/EIR	Environmental Impact Statement/Environmental Impact Report
ESA	Endangered Species Act
FEA	Final Environmental Assessment
FMP	Fisheries Management Plan
FONSI	Finding of No Significant Impact
FWCA	Fish and Wildlife Coordination Act
ISC	In Situ Capping
LAD	U.S. Army Corps of Engineers, Los Angeles District
MAC	Macfarlane Archaeological Consultants
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
PCB	polychlorinated biphenyl
PL	Public Law
POLA	Port of Los Angeles
POLB	Port of Long Beach
PV Shelf	Palos Verdes Shelf
SCAQMD	South Coast Air Quality Management District
SHPO	State Historic Preservation Officer
USACE	U. S. Army Corps of Engineers
USEPA	U. S. Environmental Protection Agency
USFWS	U. S. Fish and Wildlife Service
VOC	volatile organic compounds
WES	Waterways Experiment Station

## SECTION 1 - INTRODUCTION

### 1.1 SUMMARY OF PROPOSED BENEFITS

The U.S. Army Corps of Engineers (USACE) Waterways Experiment Station (WES) has performed two major technical studies to evaluate sediment restoration alternatives for dichlorodiphenyltrichloroethane- (DDT) and polychlorinated biphenyl- (PCB) contaminated sediments on the Palos Verdes Shelf (PV Shelf) off the coast of Los Angeles, California. The PV Shelf is located approximately 25 miles southwest of Los Angeles in Los Angeles County, California (Figure 1).

A number of options for restoration were evaluated in these studies. One alternative, which does not involve removal of the contaminated PV Shelf sediments, is in situ capping (ISC) with clean materials. An initial determination of the technical feasibility of ISC was made as a part of the overall evaluation of options for sediment remediation completed in 1994 as part of the Southern California Natural Resources Damage Assessment (Palermo, 1994).

In July 1996, Region 9 of the U.S. Environmental Protection Agency (USEPA) began a Superfund investigation at the PV Shelf under its Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) authorities. USEPA has completed a screening evaluation of response actions that identified institutional controls and in situ capping as potential response actions to address human health and ecological risk at the site (USEPA, 1997).

As part of its investigation, USEPA also had WES perform detailed engineering and environmental analyses to determine the feasibility and effectiveness of in situ capping on PV Shelf (Palermo et. al., 1999). The results of the WES study were incorporated into an Engineering Evaluation/Cost Analysis (EE/CA) report prepared by USEPA to evaluate the need for response actions such as in-situ capping and to evaluate the feasibility of capping options (USEPA, 2000). The EE/CA will be supplemented by information gained from this demonstration project.

The proposed project is to excavate and transport sediments to the PV Shelf site where they will be disposed in a controlled manner to construct a demonstration cap over contaminated sediments. The proposed project will allow the USEPA to evaluate the potential use of ISC in the field. WES technical studies have evaluated the technical feasibility of ISC at the PV Shelf (Palermo et. al., 1999), but there are many factors (i.e. depth of the site, slope in the site, and the soft-bottom nature of the site) that justify a demonstration project prior to commitment of funds to a full-scale capping project. The detailed monitoring that will be conducted as part of this demonstration project will enable the USEPA to resolve some of the uncertainties regarding the most effective cap placement methods and the suitability of fine-grained versus coarse-grained sediments for cap construction, as well as the extent of construction-related impacts on the marine environment.



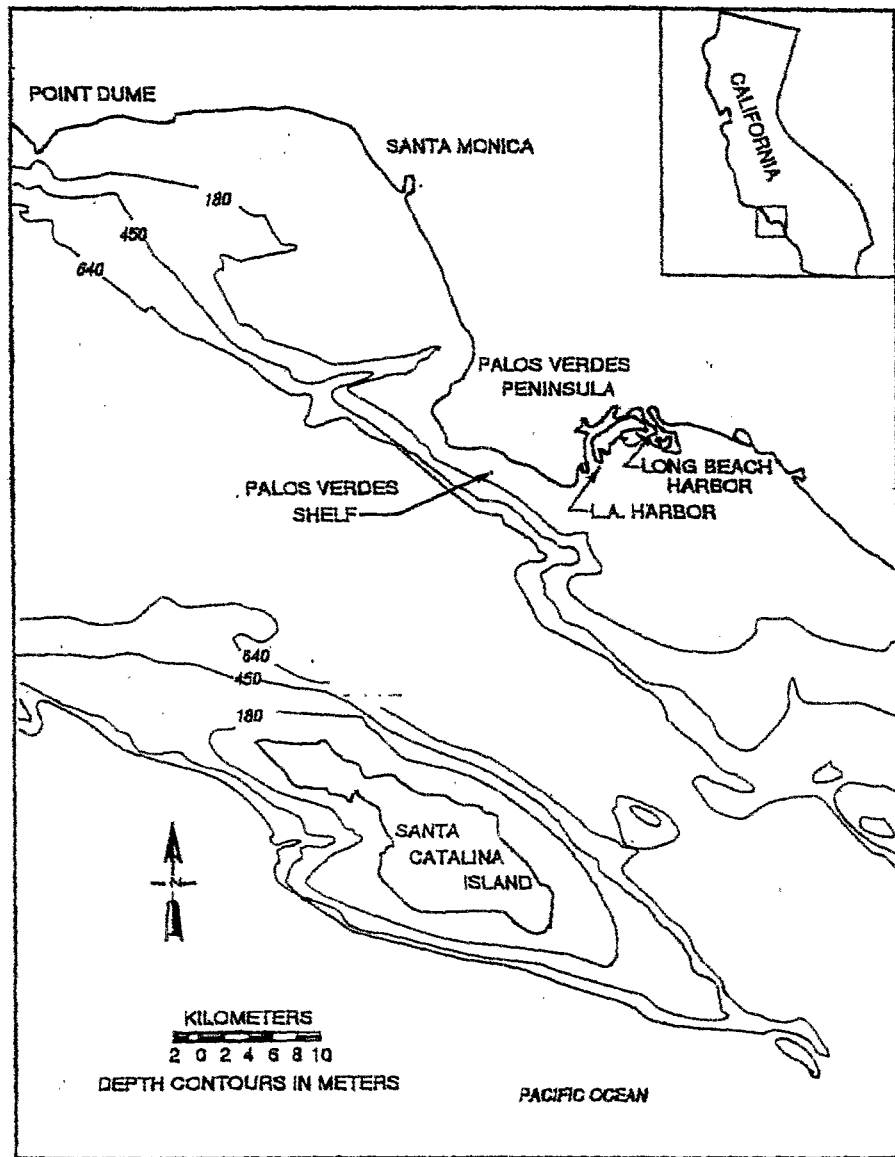


Figure 1. Project Location

## **1.2 PROJECT PURPOSE**

The overall objective of the field pilot study is to demonstrate that a cap can be placed on the PV Shelf as intended by the design and to obtain field data on the short-term processes and behavior of the cap as placed.

## **1.3 PREVIOUSLY AUTHORIZED PROJECT**

A Draft Supplement to the port of Long Beach (POLB) Main Channel Deepening EIS/EIR (USACE and POLB, 1995) has been prepared and is under public review to document revisions to disposal sites. A FONSI has been prepared, but has not yet been signed. The Draft Supplement would permit disposal of Queens Gate sediments at the PV Shelf as the fine-grain part of the demonstration project. The Draft Supplement assessed transport of approximately 350,000 cubic meters of sediments from the Queens Gate Channel as part of the POLB Main Channel Deepening Project, collection of approximately 50,000 cubic meters from the West Anchorage Site in the outer harbor of the POLB, and collection of approximately 50,000 cubic meters from the Southeast Energy Island Borrow Pit.

## **1.4 CAPPING PROJECT BACKGROUND**

The PV Shelf site consists of a 43 square kilometer (17 square mile) area of DDT- and PCB-contaminated sediments in an offshore area between Point Fermin and Point Vicente (See Figure 1). The demonstration project will consist of placing cap material within a small area of the site (approximately 0.7 square kilometers or 180 acres) utilizing a maximum of 500,000 cubic meters of sediments. Sediments used will consist of fine-grain sands and coarse-grain sands. Fine-grain sands will be taken predominantly from the POLB Main Channel Deepening Project as discussed in the Draft Supplement (USACE, 2000). Coarse-grain sands will be taken from a nearby borrow site (identified as area AIII on Figure 2). The demonstration project will also use a variety of sediment disposal (i.e. cap placement) methodologies.

The overall approach to the pilot capping project is described in "Field Pilot Study of In-Situ Capping of Palos Verdes Contaminated Sediments – Operations and Monitoring Plan" (Palermo, 2000). The cap material will be placed in four distinct cells. The use of four cells is intended to allow careful evaluation of placement at different depths with both conventional (i.e. point dumping) and spreading placement methods. An extensive monitoring program has also been developed and will be implemented in close coordination with cap placement activities.

## **1.5 PROPOSED PROJECT**

A maximum of 20,000 cubic meters will be dredged from Borrow Site AIII (Figure 2). Geotechnical studies of this site have identified sufficient quantities of clean sediment with grain size characteristics suitable for the coarse-grain portion of the Demonstration Project.

Prior to any actual placement of AIII sediments on the PV Shelf, placement of one hopper load (approximately 1,000 cubic meters) of coarse-grain sands with the spreading method of

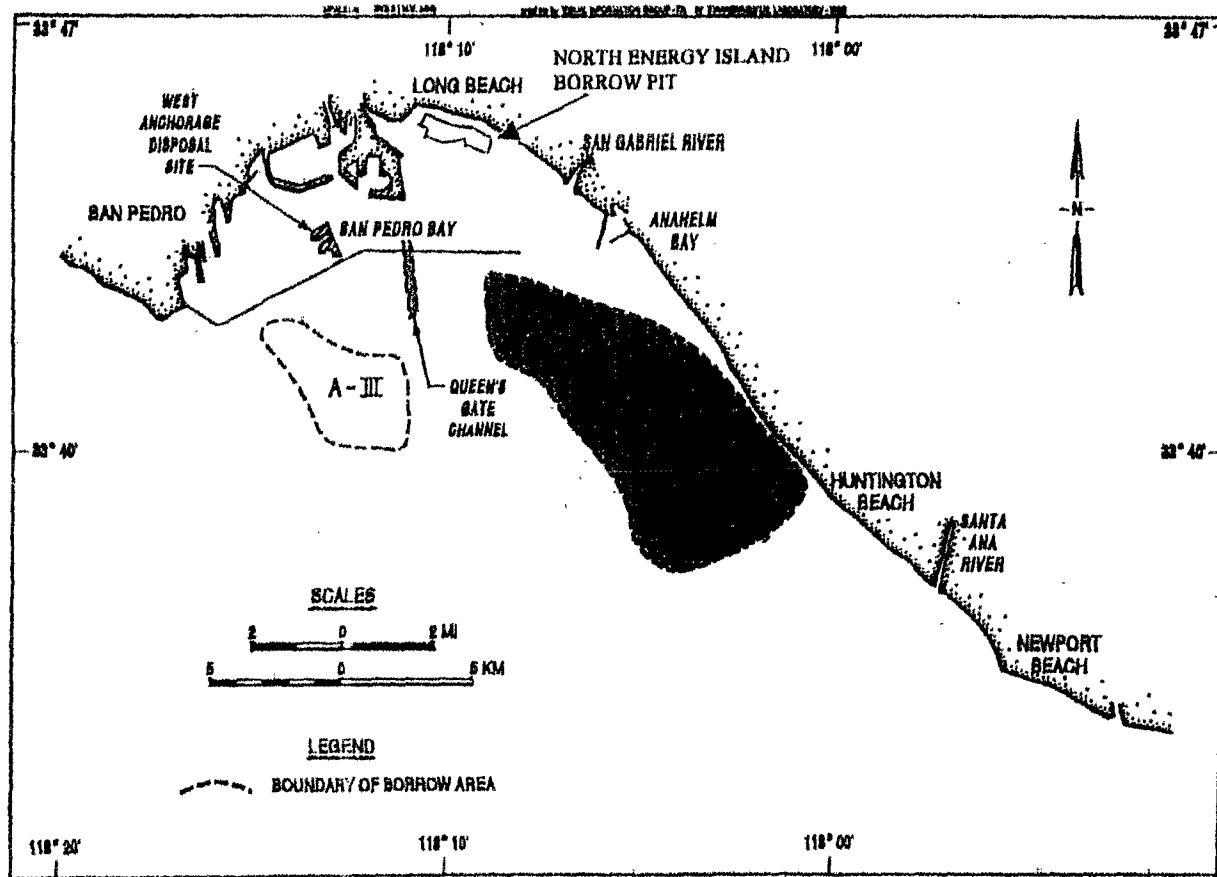


Figure 2. Potential Borrow Sites

placement will be observed at the West Anchorage Site, if acceptable to the POLB. If not acceptable to the POLB, this trial disposal will take place at the LA-2 Ocean Disposal Site. Disposal of this material will allow the USACE to determine the rate of release from the hopper and to assess any tendency of the material to bridge. The West Anchorage Site is a permitted disposal site for the POLB Main Channel Deepening Project.

Although unlikely there is the possibility of dredging a hopper load of sediment from the AIII Borrow Site that contains an unacceptable percentage of gravel. Gravel is unsuitable for use in constructing an ISC at the PV Shelf. Sampling will be conducted during dredging in the AIII Borrow Site in order to determine the suitability of each hopper load. Should a hopper load be determined to be unsuitable due to high gravel content, the load will be taken to the West Anchorage Site and disposed of there, if acceptable to the POLB. If not, this material will be disposed of at the LA-2 Ocean Disposal Site.

The Manhattan-class hopper dredge *Sugar Island* planned for use in the POLB Main Channel Deepening Project will accomplish all dredging for the pilot capping project. Hopper dredges were identified as a preferable placement equipment type in TR EL-99-2 (Palermo et. al. 1999), and use of a diesel-powered hopper dredge is anticipated for the pilot Capping project.

Dredging impacts associated with POLB Main Channel Deepening Project have been evaluated in the POLB Channel Deepening EIS/EIR (USACE and POLB, 1995), which is hereby incorporated by reference. Sediments that are proposed for disposal at the West Anchorage Site will be similar in composition to the Queens Gate sediments. They will be dredged from a nearby area that is contiguous with the Queens Gate Site. Therefore, the proposed project disposal in the West Anchorage Site is consistent with use of the West Anchorage Site as a disposal site for the POLB Main Channel Deepening Project. The USEPA is in the process of preparing and distributing to various resource agencies a separate environmental assessment regarding impacts associated with in-situ cap placement. Therefore, cap placement impacts are not assessed in this document.

## 1.6 ENVIRONMENTAL ASSESSMENT PROCESS

This Environmental Assessment (EA) addresses potential impacts associated with implementing the U. S. Army Corps of Engineers, Los Angeles District (LAD) discretionary actions as they relate to USACE policies, and those of other entities.

The USACE is the lead agency for this project. This EA complies with the NEPA of 1969, 42 U.S.C. 4321, as amended. The NEPA requires federal agencies to consider the environmental effects of their actions. When those actions significantly affect the quality of the human environment, an agency must prepare environmental documentation that provides full and fair discussion of impacts.

The EA process follows a series of prescribed steps. The first, scoping, has been completed with the purpose to solicit comments from other federal and state agencies as well as the general public. This EA is the second step, which will be sent out for a 15-day public review period;

during which written and verbal comments on the adequacy of the EA will be received. The next step requires preparation of a Final EA (FEA) that incorporates and responds to comments received. The FEA will be furnished to all those who commented on the Draft EA and will be made available upon request. The final step is preparing a FONSI; if it is determined the project will not have a significant impact upon the existing environment or the quality of the human environment. This is a concise summary of the decision made by the USACE from among the alternatives presented in the FEA. If it is determined the project will have a significant impact upon the existing environment or the quality of the human environment, an Environmental Impact Statement (EIS) will be required.

#### **1.7 RELATIONSHIP TO ENVIRONMENTAL PROTECTION STATUTES, PLANS, AND OTHER REQUIREMENTS**

The USACE is required to comply with all pertinent federal and state policies; project compliance is summarized in Table 1.

**Table 1**  
**Summary of Environmental Compliance**

Statute	Status of Compliance
<p>National Environmental Policy Act (NEPA) of 1969, as amended</p> <p>Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of the NEPA (40 CFR 1500-1508) dated July 1986</p>	<p>The EA will be completed and submitted for public review. Upon review of the FEA, the District Engineer will issue a FONSI or require preparation of an EIS and a ROD will be issued for this project.</p>
<p>Clean Air Act, 42 U.S.C. 740B</p>	<p>Appropriate documentation will be included in the Draft EA to show conformity with the Clean Air Act.</p> <p>A permit to construct will be obtained by contractor, if necessary.</p>
<p>Clean Water Act, 33 U.S.C. 1344</p> <p>Rivers and Harbors Act of 1899, 33 U.S.C. 403</p>	<p>A section 404(b)(1) analysis will not be conducted for the recommended plan since the assessed project does not address disposal of dredged and/or fill materials; however a Section 401 waiver will be requested from the California Regional Water Quality Control Board.</p>
<p>National Oceanic and Atmospheric Administration Federal Consistency Regulation (15 CFR 930)</p> <p>Coastal Zone Management Act of 1972, 16 U.S.C. 1451 et seq</p> <p>California Coastal Act of 1976</p>	<p>Either a Consistency or a Negative Determination, as appropriate, will be prepared by the Corps for concurrence by the California Coastal Commission prior to construction. A Negative Determination will be sought concurrent with review of the Draft EA.</p>
<p>Joint Regulations (U.S. Fish and Wildlife Service and National Marine Fisheries Service) Endangered Species Committee Regulations, 50 CFR 402 Interagency Cooperation</p> <p>Endangered Species Act of 1973, 16 U.S.C. 1531, as amended</p> <p>Fish and Wildlife Coordination Act, 16 U.S.C. 661-666c</p> <p>Migratory Bird Treaty Act, 16 U.S.C. 703-711</p> <p>Marine Protection, Research, and Sanctuaries Act of 1972, as amended, 33 U.S.C. 1413</p> <p>Marine Mammal Protection Act, 16 U.S.C. 1361 et seq</p> <p>Magnuson-Stevens Fishery Management and Conservation Act</p>	<p>An analysis has been conducted and coordination efforts are underway with the U. S. Fish and Wildlife Service and the National Marine Fisheries Service.</p>
<p>National Historic Preservation Act, 16 U.S.C. 470 and 36 CFR 800: Protection of Historic Properties</p> <p>Executive Order 11593: Protection and Enhancement of the Cultural Environment, May 13, 1971</p>	<p>A letter will be sent to the State Historic Preservation Officer (SHPO) with a determination that this project will not involve National Register eligible or listed properties. Upon receipt of concurrence, the project will be in compliance.</p>

## **SECTION 2 –PROJECT ALTERNATIVES**

### **2.1 ALTERNATIVES ANALYSIS**

#### **2.1.1 No Action Alternative**

The No Action Alternative will not result in any dredging or transport of sediments for use in constructing and monitoring of the coarse-sand portion for a demonstration cap at the PV Shelf site. The PV Shelf site will remain as it currently is, greatly increasing the uncertainty and risk involved in reaching a determination regarding the feasibility of capping at the PV Shelf site.

#### **2.1.2 Alternatives Considered**

Alternative sources of coarse-grained capping materials were considered, including Borrow Site AII (Figure 2), as was the option of undertaking a separate project for dredging and placing cap materials. Borrow Site AII is located further away from the PV Shelf Site than is AIII, which would require longer trips for the hopper dredge to and from the PV Shelf Site. Longer trips would result in increased emissions of air quality contaminants, increased fuel usage and associated costs, and greater expense in terms of time and money. Use of capping materials other than from an ongoing navigation dredging project would result in significant additional costs, time delays, and environmental consequences that render this approach infeasible in terms of the time and budgetary constraints associated with this demonstration project.

Use of disposal sites other than the PV Shelf would not meet project objectives. Therefore, only the No-Action Alternative along with the proposed project was carried forward for assessment.

## SECTION 3 - ENVIRONMENTAL INVENTORY AND CONSEQUENCES

This section provides an assessment of potential impacts for the proposed project. If analyses show significant adverse impacts, then mitigation measures have been included to avoid the impact or reduce the level to insignificance

### 3.1 Oceanography and Water Quality

Oceanographic conditions and dredging impacts in the AIII Borrow Site will be similar to those presented in the EIS/EIR for the POLB Main Channel Deepening Project (USACE and POLB, 1995). Since the sediments to be dredged consist of coarse-grained sands, water quality impacts associated with dredging are expected to be minimal and short-term. Turbidity in the vicinity of the hopper dredge drag arm is expected to clear faster in the AIII Borrow Site than in the Queens Gate area owing to the coarse nature of the Borrow Site sediments. Coarser sediments tend to fall out of the water column faster than finer-grained sediments.

A geotechnical investigation was conducted in Borrow Site AIII. The geotechnical investigation was conducted in accordance with a Sampling and Analysis Plan (USEPA and USACE, 2000) prepared according to CERCLA Guidelines. Preliminary results are included in Appendix C. Table 2 shows general sediment size characteristics for the Borrow Site.

Table 2. Borrow Site AIII Grain Size Distribution

	<i>Maximum Fine</i>	<i>Average</i>	<i>Minimum Fine</i>
<i>% Coarse Gravel</i>	0	1	26
<i>% Fine Gravel</i>	0	2	0
<i>% Coarse Sand</i>	0	2	4
<i>% Medium Sand</i>	16	31	41
<i>% Fine Sand</i>	80	62	29
<i>% Fines</i>	2	1	0
<i>D 50</i>		0.33 mm	

Chemical analyses were performed on two composite samples made from individual cores from within the Borrow Site. All detectable metals concentrations were well below ER-L levels. Organic compounds (i.e. butyltins, DDT, other pesticides, PCBs, and PAHs) were all below detection levels. Preliminary results are in Appendix C. Based on the physical and chemical characterization, the AIII sediments are considered suitable for unconfined ocean disposal.

Impacts at the West Anchorage Site for the trial spreading of AIII sediments and for any disposal of sediments unsuitable for use in capping because of gravel content are expected to be similar to those assessed in the POLB Main Channel Deepening Project EIS/EIR as supplemented (USACE, 1998). Impacts most likely will be confined to disposal of approximately 1,000 cubic meters of sand. These impacts are expected to be negligible and insignificant.



**No action alternative** Conditions at the AIII Borrow Site and the PV Shelf would remain unchanged. Impacts at the West Anchorage Site would remain unchanged from the POLB Main Channel Deepening Project EIS/EIR, as supplemented.

### 3.2 Marine Resources

Conditions and impacts at the AIII Borrow Site and West Anchorage Site will be similar to those presented in the POLB Main Channel Deepening Project EIS/EIR (USACE and POLB, 1995). Additional dredging impacts would occur at the AIII Borrow Site. Impacts to marine resources are expected to be similar to those assessed in the POLB Main Channel Deepening Project EIS/EIR for dredging. Sites of particular importance, including rock reefs, will be avoided. The removal of, at most, 20,000 cubic meters using a 1-meter cut is not expected to significantly impact existing benthic communities. Recolonization from adjacent areas is expected to occur rapidly, with some deep-burrowing organisms being able to survive the shallow dredging being proposed. These impacts are expected to be insignificant.

Conditions at the West Anchorage Site for the trial spreading of AIII sediments and for any disposal of sediments unsuitable for use in capping because of gravel content are expected to be similar to those assessed in the POLB Main Channel Deepening Project EIS/EIR as supplemented (USACE, 1998). Impacts most likely will be confined to disposal of approximately 1,000 cubic meters of sand. These impacts are expected to be negligible and insignificant.

**Threatened and endangered species** The following listed species may occur in the study area of this project:

- California least tern (*Stern antillarum browni*) - endangered
- Brown pelican (*Pelecanus occidentalis*) - endangered
- Bald eagle (*Haliaeetus leucocephalus*) - threatened

The USACE has determined that dredging will take place in deep water sufficiently removed from the shallow water foraging areas used by the California least tern so as to have no affect on this listed species. Dredging would not affect any other listed species. The USACE has determined that the transport of dredged materials will not have an affect nor jeopardize the continued existence of any federal listed threatened or endangered species. Informal consultation with the USFWS resulted in a no adverse impact finding for the project. Formal consultation pursuant to Section 7 of the Endangered Species Act is not required for project implementation.

**Essential Fish Habitat** In accordance with the 1996 amendments to the Magnuson-Stevens Fishery Management and Conservation Act, an assessment of Essential Fish Habitat (EFH) has been conducted for the proposed project. The project is located within an area designated as EFH for two Fishery Management Plans (FMPs): Coastal Pelagics Plan and Pacific Groundfish Management Plan. Many of the 86 species federally managed under these plans are known to occur in the area and could be affected by the proposed project.

The USACE has determined that the proposed project will not result in any significant, adverse impacts to any species on the Fishery Management Plan or their associated habitat.

**No action alternative** Conditions at the AIII Borrow Site and the PV Shelf would remain unchanged. Impacts at the West Anchorage Site would remain unchanged from the POLB Main Channel Deepening Project EIS/EIR, as supplemented.

### 3.3 Air Quality

As materials are transported to the PV Shelf Site from the AIII Borrow Site, the overall transit time will be longer than required to transport a similar volume of material from the Queens Gate Channel to the current disposal sites. As a result, air quality impacts per unit volume of material transported to the PV Shelf will be slightly higher than those presented in the POLB Main Channel Deepening Project EIS/EIR (USACE and POLB, 1995) and Supplements (USACE, 1998 and 2000). Up to 20 roundtrips will be made from the AIII Borrow Site to the PV Shelf. Air quality impacts associated with dredging in AIII are expected to be similar to those assessed in the POLB Main Channel Deepening Project EIS/EIR for dredging a like amount of sediment in the channel. Air quality impacts for transportation alone and for transportation combined with dredging will exceed significance thresholds for carbon monoxide and nitrogen oxide emissions, as established by the South Coast Air Quality Management District (SCAQMD). Calculations are presented in Tables 1 through 3, Appendix B. Hence, all air quality mitigation measures developed for the authorized project, as presented in the POLB Main Channel Deepening Project EIS/EIR, will also be implemented for the proposed modifications.

The authorized project, as presented in the POLB Main Channel Deepening Project EIS/EIR and as supplemented (USACE, 1998), was determined to conform to Section 176(c)(1) of the Clean Air Act (CAA). The proposed project is determined to conform with the CAA also, as short- and long-term air impacts are projected to be similar to those described and assessed in the authorized project. This means that Federally supported or funded activities will not: (1) cause or contribute to any new violation of any air quality standard; (2) increase the frequency or severity of any existing violation of any standard; or (3) delay the timely attainment of any standard or any required interim emission reductions or other milestones in any area.

**No action alternative** Impacts would remain unchanged from the POLB Main Channel Deepening Project EIS/EIR, as supplemented.

### 3.4 Noise

All activities will take place within sites that are well away from any potential sensitive receptors. No additional noise impacts are expected.

### 3.5 Cultural Resources

The area of potential effects (APE) for the AIII Borrow Site was the subject of a records search by Macfarlane Archaeological Consultants (MAC). The records search showed a single

shipwreck identified as BLM 574. This single site will be avoided during dredging (refer to the map in Appendix C for approximate locations of this shipwreck and of the Borrow Site). Prior to the start of construction, MAC will survey the dredge site to confirm that no further shipwrecks are present. Should any anomalous sites be identified, dredge operations will be modified to avoid those sites. Since previous cultural survey and records and literature searches were found negative for cultural resources, the USACE has determined the APE as described will not involve National Register eligible or listed properties.

**No action alternative.** Impacts would remain unchanged from the POLB Main Channel Deepening Project EIS/EIR, as supplemented.

### **3.6 Vessel Transportation and Safety**

Like the POLB Main Channel Deepening Project EIS/EIR (USACE and POLB, 1995), dredging operations are not expected to require closure of any navigation channels. Up to 20 roundtrips will be made from the AIII Borrow Site to the PV Shelf. A minimum of one roundtrip will be made to the West Anchorage Site for the monitored disposal of one hopper load of sediments. All applicable measures developed as a part of the POLB Main Channel Deepening Project EIS/EIR and as supplemented (USACE, 1998) to minimize potential vessel transportation conflicts and increase safety will be implemented for the proposed modifications also. That is, the dredging contractor will participate in safety orientations with Jacobsen Pilot Service prior to construction to develop a coordination strategy for all potential users of the area. Due to the negligible amount of trips involved, this is considered an insignificant impact

**No action alternative.** Impacts would remain unchanged from the POLB Main Channel Deepening Project EIS/EIR, as supplemented.

## SECTION 4 - ENVIRONMENTAL COMPLIANCE AND COMMITMENTS

### 4.1 COMPLIANCE

#### **4.1.1 National Environmental Compliance Act of 1969 (Public Law (PL) 91-190); National Environmental Policy Act (NEPA) of 1969 (42USC4321 et seq., PL 91-190); Council on Environmental Quality Regulations for Implementing NEPA, 40 CFR Parts 1500 to 1508; USACE Regulations for Implementing NEPA, 33 CFR Part 220.**

The NEPA includes the improvement and coordination of Federal plans to attain the widest range of beneficial uses of the environment and to achieve a balance between population and resource use permitting high standards of living and a wide sharing of life's amenities.

The NEPA was established to ensure that environmental consequences of federal actions are incorporated into Agency decision-making processes. It establishes a process whereby parties most affected by impacts of a proposed action are identified and opinions solicited. The proposed action and several alternatives are evaluated in relation to their environmental impacts, and a tentative selection of the most appropriate alternative is made.

This EA has been prepared to address impacts and develop mitigation (if warranted) associated with the proposed project. Similar to the EIS process, the Draft EA is circulated for public review and appropriate resource agencies, environmental groups and other interested parties provide comment on document adequacy. Comment responses are incorporated into the Final EA and the LAD District Engineer signs a Finding of No Significant Impact (FONSI), if it is determined the project will not have a significant impact upon the existing environment or the quality of the human environment. Subsequently, the Final EA and FONSI are made available and distributed to the public. If it is determined the project will have a significant impact upon the existing environment or the quality of the human environment, an EIS would be required.

#### **4.1.2 Clean Water Act Of 1972 (33 USC 1251 et seq.)**

The clean Water Act (CWA) was passed to restore and maintain chemical, physical, and biological integrity of the nation's waters. Specific sections of the Act control the discharge of pollutants and wastes into aquatic and marine environments. The major sections of the CWA that apply to dredging activities are Section 401, which requires certification that the permitted project complies with the State Water Quality Standards for actions within state waters, and Section 404(b)(1), which establishes guidelines for discharge of dredged or fill materials into an aquatic ecosystem. Subpart A, Section 230.1(c) of Section 404(b)(1) guidelines states the following: "Fundamental to these guidelines is the precept that dredged or fill material should not be discharged into the aquatic ecosystem, unless it can be demonstrated that such a discharge will not have an unacceptable adverse impact either individually or in combination with known and/or probable impacts of other activities affecting the ecosystems of concern." Although Sections 401 and 404(b)(1) of the CWA apply, by their own terms, only to applications for Federal permits, the USACE has made a policy decision to apply them to their own projects. This policy is set out in USACE regulations at 33 CFR Part 336. Section 336.1(a) of that

regulation states, "Although the USACE does not process and issue permits for its own activities, the USACE authorizes its own discharges of dredge or fill material by applying all applicable substantive legal requirements, including public notice, opportunity for public hearing, and application of the Section 404(b)(1) guidelines." A 404(b)(1) analysis will not be required for this EA. Application for a 401 Water Quality Waiver for the EA will be prepared.

#### **4.1.3 Endangered Species Act of 1973 (16 USC 1531 et seq.)**

The Endangered Species Act (ESA) protects threatened and endangered species by prohibiting federal actions that would jeopardize continued existence of such species or result in destruction or adverse modification of any critical habitat of such species. Section 7 of the Act requires consultation regarding protection of such species be conducted with the U. S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS) prior to project implementation. During the planning process, the USFWS and the NMFS evaluate potential impacts of all aspects of the project on threatened or endangered species. Their findings are contained in letters that provide an opinion on whether a project will jeopardize the continued existence of endangered species or modify critical habitat. If a jeopardy opinion is issued, the resource agency will provide reasonable and prudent alternatives, if any, that will avoid jeopardy. A non-jeopardy opinion may be accompanied by reasonable and prudent measures to minimize incidental take caused by the project.

Preliminary determinations indicate that the proposed project will not affect any federally listed endangered or threatened species, or their critical habitat, and formal consultation under Section 7 of the ESA is not required.

#### **4.1.4 Coastal Zone Management Act of 1976 (PL 92-583; 16 USC 1456 et seq.)**

Under the Coastal Zone Management Act (CZMA), any federal agency conducting or supporting activities directly affecting the coastal zone must demonstrate the activity is, and proceed in a manner, consistent with approved State's Coastal Zone Management Program, to the maximum extent practicable. As no federal agency activities are categorically exempt from this requirement, the USACE will obtain concurrence from the California Coastal Commission for the necessary consistency determination.

#### **4.1.5 Clean Air Act of 1969 (42USC7401 et seq.); CAA Amendments of 1990 (PL101-549)**

Air quality regulations were first promulgated with the CAA. The CAA is intended to protect the Nation's air quality by regulating emissions of air pollutants. Section 118 of the CAA requires that all Federal agencies engaged in activities that may result in the discharge of air pollutants comply with state and local air pollution control requirements. Section 176 of the CAA prohibits federal agencies from engaging in any activity that does not conform to an approved State Implementation Plan.

The CAA established the National Ambient Air Quality Standards (NAAQS) and delegated enforcement of air pollution control to the states. In California, the Air Resources Board (ARB)

has been designated as the state agency responsible for regulating air pollution sources at the state level. The ARB, in turn, has delegated the responsibility of regulating stationary emission sources to local air pollution control or management districts, which, for the proposed project, is the SCAQMD.

The CAA states that all applicable federal and state ambient air quality standards must be maintained during the operation of any emission source. The CAA also delegates to each state the authority to establish state-specific air quality rules and regulations. State adopted rules and regulations must be at least as stringent as the mandated federal requirements. In states where the NAAQS are exceeded, the CAA requires preparation of a SIP that identifies how the state will meet standards within timeframes mandated by the CAA.

The 1990 CAA established new nonattainment classifications, new emission control requirements, and new compliance dates for areas presently in nonattainment of the NAAQS, based on the design day value. The design day value is the fourth highest pollutant concentration recorded in a 3-year period. The requirements and compliance dates for reaching attainment are based on the nonattainment classification.

One of the requirements established by the 1990 CAA was an emission reduction amount, which is used to judge how progress toward attainment of the ozone standards is measured. The 1990 CAA requires areas in nonattainment of the NAAQS for ozone to reduce basin wide volatile organic compounds (VOC) emissions by 15 percent for the first 6 years and by an average 3 percent per year thereafter until attainment is reached. Control measures must be identified in the SIP, which facilitates reduction in emissions and show progress toward attainment of ozone standards.

The 1990 CAA states that a federal agency cannot support an activity in any way unless it determines the activity will conform to the most recent USEPA-approved SIP. This means that Federally supported or funded activities will not: (1) cause or contribute to any new violation of any air quality standard; (2) increase the frequency or severity of any existing violation of any standard; or (3) delay the timely attainment of any standard or any required interim emission reductions or other milestones in any area. In accordance with Section 176 of the 1990 CAA, the USEPA promulgated the final conformity rule for general Federal actions in the November 30, 1993 *Federal Register*.

Project emissions do not exceed conformity "de minimis" levels established as a criterium for a finding of conformity. Therefore, the project is consistent with the SIP and meets the requirements of Section 176(c).

#### **4.1.6 National Historic Preservation Act of 1966 (16 USC 470 et seq.)**

The purpose of the National Historic Preservation Act (NHPA) is to preserve and protect historic and prehistoric resources that may be damaged, destroyed, or made less available by a project. Under this Act, federal agencies are required to identify cultural or historical resources that may be affected by a project and to consult with the State Historic Preservation Officer (SHPO) when a federal action may affect cultural resources.

A letter will be sent to the SHPO stating the proposed project, as planned, will not involve National Register listed or eligible properties. Studies indicate that no cultural resources exist in the APE. All project coordination with respect to Section 106 of the NHPA (36 CFR 800) will be completed prior to construction.

If previously unknown cultural resources are identified during project implementation, all activity will cease until requirements of 36 CFR 800.11, *Discovery of Properties During Implementation of an Undertaking*, are met.

#### **4.1.7 Fish and Wildlife Coordination Act**

The Fish and Wildlife Coordination Act (FWCA) requires the Corps to consult with the USFWS whenever the waters of any stream or other body of water are proposed to be impounded, diverted, or otherwise modified.

The USACE' coordination with the USFWS and the NMFS consisted of mail and telephone conversations regarding all aspects of the proposed project. Specific comments were solicited from the USFWS and the NMFS in March 2000. Comments and a species list were received from the USFWS. Comments were received from the NMFS. Copies of resource agency comments are included in Appendix D.

#### **4.1.8 Magnuson-Stevens Fishery Management and Conservation Act**

The 1996 amendments to the Magnuson-Stevens Fishery Management and Conservation Act requires the USACE to consult with the NMFS whenever areas designated as EFH may be impacted.

An assessment of EFH has been conducted for the proposed project. The project is located within an area designated as EFH for two FMPs: Coastal Pelagics Plan and Pacific Groundfish Management Plan. Many of the 86 species federally managed under these plans are known to occur in the area and could be affected by the proposed project. The USACE has determined that the proposed project will not result in any significant, adverse impacts to any species on the FMP or to their habitat.

## **4.2 COMMITMENTS**

Following is a proposed summary of future commitments:

1. All air quality, and vessel transportation and safety mitigation measures developed for the authorized project, as presented in the POLB Main Channel Deepening Project EIS/EIR (USACE and POLB, 1995), will be implemented for the proposed modifications also.

2. Cease construction activities if cultural resources are identified during project implementation until requirements of 36 CFR 800.11, *Discovery of Properties During Implementation of an Undertaking*, is met.
3. Unless specifically allowed by the USFWS, the POLB/USACE shall not allow turbidity from disposal activities at the West Anchorage Disposal Site to extend into shallow water adjacent to the Pier 400 Transportation Corridor during the April-September breeding season of the California least tern. This requirement shall be monitored as provided for below and shall be based on visually observed differences between ambient surface water conditions and any disposal turbidity plume.
4. The POLB/USACE shall provide a qualified biologist, acceptable to the USFWS, to monitor the new POLB shallow water habitat during the 2000 nesting season. The biologist shall coordinate with the USFWS and shall visually monitor and report to the dredging contractor or POLB/USACE contract manager and USFWS any turbidity from project disposal operations at the West Anchorage Disposal Site which enters the shallow water habitat to the east of the Pier 400 Transportation Corridor.

#### 4.3 SUMMARY

The proposed project as outlined above have been designed and scheduled to avoid and/or minimize probable effects on the environment. Where avoidance cannot be used and significant impacts may result, mitigation measures have been designed to minimize impacts on resources. It is determined the proposed project will not have a significant impact upon the existing environment or the quality of the human environment, as documented in this EA. As a result, preparation of an EIS is not required.



## SECTION 5 - REFERENCES

- Fredette, T.J. 2000. Palos Verdes Shelf Pilot Project Monitoring Scope of Work (Working Draft 2.2). New England Division, U. S. Army Corps of Engineers. March 29, 2000.
- Palermo, M.R. 1994. Feasibility Study of Sediment Restoration Alternatives for the Southern California Natural Resource Damage Assessment. Expert report prepared for the NOAA and the U.S. Department of Justice. U.S. Army Engineer Waterways Experiment station, Vicksburg, Mississippi.
- \_\_\_\_\_. 2000. Field Study of In-Situ Capping of Palos Verdes Shelf Contaminated Sediments – Operations and Monitoring Plan. U.S. Army Engineer Waterways Experiment station, Vicksburg, Mississippi. March 2000.
- Palermo, M.R., P. Schroeder, Y. Rivera, C. Ruiz, D. Clarke, J. Gailni, J. Clausner, M. Hynes, T. Fredette, B. Tardy, L. Peyman-Dove, and A. Risko. 1999. Options for In Situ Capping of Palos Verdes Shelf Contaminated Sediments. Waterwys Experiment Station, U. S. Army Corps of Engineers Technical Report EL-99-2. March 1999. (Available via the WES web site at <http://www.wes.army.mil/el/elpubs/pdf/trel99-2.pdf>)
- USACE (U.S. Army Corps of Engineers, Los Angeles District). 1998. Final Supplemental Assessment for Main Channel Deepening Project Port of Long Beach Long Beach, California.
- \_\_\_\_\_. 2000. Draft Supplemental Environmental Assessment for Palos Verdes Shelf Capping Demonstration Project, Pacific Ocean, Palos Verdes, California.
- USACE and POLB (U.S. Army Corps of Engineers, Los Angeles District and the Port of Long Beach). 1995. Final Feasibility Study with Final Environmental Impact Statement/Environmental Impact Report for Port of Long Beach Main Channel Deepening project, Los Angeles, California.
- USEPA (U. S. Environmental Protection Agency). 1997. Screening Evaluation of Response Actions for contaminated sediment on the Palos Verdes Shelf. U. S. Environmental Protection Agency, Region IX, San Francisco, California.
- \_\_\_\_\_. 1999. Engineering Evaluation/Cost Analysis for the Palos Verdes Shelf. U. S. Environmental Protection Agency – Region IX, San Francisco, California. March 2000.
- USEPA and USACE (U. S. Environmental Protection Agency and U. S. Army Corps of Engineers). 2000. Final Sampling and Analysis Plan for Characterization of the A-2 & A-3 Borrow Areas for the Pilot In-Situ Capping Project Palos Verdes Shelf Superfund Investigation. March 27, 2000.

**SECTION 6 - DISTRIBUTION LIST**

**Federal Agencies:** U.S. Environmental Protection Agency, Region IX  
U.S. Fish and Wildlife Service  
National Marine Fisheries Service  
U.S. Coast Guard

**State Agencies:** California Coastal Commission  
California Department of Fish and Game  
Regional Water Quality Control Board, Los Angeles Region  
Clearinghouse/Association of Governments  
State Historic Preservation Officer

**Local Agencies:** Port of Long Beach

## SECTION 7 - PREPARERS/REVIEWERS

### 7.1 Preparers

Larry Smith USACE LAD, Biological Sciences Environmental Manager, Ecosystem  
Planning Section  
Richard Perry USACE LAD, Cultural Resources, Ecosystem Planning Section

### 7.2 Reviewers

Steve Dibble USACE LAD, Cultural Resources, Ecosystem Planning Section  
Ruth Villalobos USACE LAD, Chief, Environmental Resources Branch  
Mamie Brouwer USACE NWS  
Fred Schaufler USEPA

**APPENDIX A**

**MAILING LIST**

Palos Verdes Shelf Capping Demonstration Project  
Mailing List

FIRST NAME	LAST NAME	ORGANIZATION	STREET ADDRESS	CITY	ZIP CODE
		California Department of Boating & Waterways	2000 Evergreen Street	Sacramento	95815-3896
		Office of Planning and Research	1400 Tenth Street	Sacramento	95814
		The Resources Agency of California	1416 Ninth Street	Sacramento	95814
		South Coast Air Quality Management District	2185 E. Copley Drive	Diamond Bar	91765
		State Clearing House	1400 Tenth Street, Room 121	Sacramento	95814
		State Lands Commission	100 Howe Avenue, #100S	Sacramento	95852-8202
		State of California Department of Transportatio	120 S. Spring Street	Los Angeles	90012
Daniel	Abeyta	Office of Historic Preservation	P. O. Box 942896	Sacramento	95814
Jenny	Decker	CA Dept of Fish & Game	1416 Ninth Street	Sacramento	94244-2090
Peter	Douglas	California Coastal Commission	45 Fremont Street, Suite 2000	San Francisco	94105
Marilyn	Fluharty	CA Dept of Fish & Game	4949 View Ridge Avenue	San Diego	92123
John	Hanlon	U.S. Fish & Wildlife Service	2730 Loker Avenue West	Carlsbad	92008
Laura	Valoppi	U.S. Fish & Wildlife Service	3310 El Camino Avenue, Suite 13	Sacramento	95821-5340
Steven	John	U.S. Environmental Protection Agency	P. O. Box 532711	Los Angeles	90053-2325
Michael	Lyons	Regional Water Quality Control Board	320 W. 4th Street, Suite 200	Los Angeles	90013
Rodney	McInnis	National Marine Fisheries Service	501 W. Ocean Blvd., Suite 4200	Long Beach	92802
Tom	Johnson	Port of Long Beach	925 Harbor Plaza	Long Beach	90802
Fred	Shauffler	U.S. Environmental Protection Agency	75 Hawthorne Street	San Francisco	94105-3901
Mamie	Brouwer	CENWS-ET-TB-EC	P. O. Box 3755	Seattle	98124-3755

**APPENDIX B**

**AIR QUALITY EMISSION DATA  
CALCULATIONS**

## Air Quality Emission Data Calculations

### Short-Term Emissions

Dredging emissions were calculated for the Final Supplemental (USACE, 1998) and are incorporated in Table 3. Transportation emissions were calculated in a manner similar to the one used in the Final Supplemental as given below. We assumed a round trip time of 120 minutes at a speed between 9 and 10 knots, and 6-1/2 trips per day.

Table 1  
Construction Source Data

Mode/Equipment	Power Rating (hp)	Load Factor (%)	Fuel Usage (gal/hr)	Fuel Usage (Gal/day)
Transporting				
Propulsion	3000	85	127.5	1657.5
Auxiliary & Misc.	2,265	25	28.3	367.9

Table 2  
Construction Equipment Emissions Factors

Equipment Type	Fuel Type	Emission Factors (pounds/1000 gallons)					
		CO	NO <sub>x</sub>	PM10	ROC	SO <sub>x</sub>	Source
Propulsion Engines	D	70.20	407.50	31.68	43.87	28.50	(a)
Auxiliary & Misc.	D	102.00	469.00	16.75	32.10	31.20	(b)

Note: (a) ARB (1984), except Sox and PM10 from Scott Environmental Technology (1981).

Note: (b) Table A-9-3 from SCAQMD (1993) CEQA Air quality Handbook

Table 3  
Daily Dredging and Placement Emissions

Mode/Equipment	Daily Emissions (lbs/day)				
	CO	NO <sub>x</sub>	PM10	ROC	SO <sub>x</sub>
Dredging	109.37	511.64	20.03	36.66	34.18
Transport					
Propulsion	116.36	675.43	52.51	72.71	47.24
Auxiliary & Misc.	37.53	172.55	6.16	11.81	11.48
Transport Total	153.88	847.98	58.67	84.52	58.72
Daily Total	263.25	1359.62	78.70	121.18	92.90

**APPENDIX C**

**SEDIMENT TEST RESULTS**



CHEMICAL TESTING

Chemical testing was conducted on two composite samples from within the proposed A-III Borrow Area. The following holes were used in each composite:

<u>TEST DESIGNATION</u>	<u>HOLES USED IN COMPOSITE</u>
A3-05 Comp	A3-05, A3-05A, A3-05B, A3-05C, A3-05D
A3-07 Comp	A3-07, A3-07A, A3-07B, A3-07C, A3-07D

Representative sediment samples were collected for each of the hole locations above between the mudline and a depth of 1 m. These samples were then mixed together as indicated above, to create the composite samples.

OTHER ITEMS ON MAP

- 17 Shipwreck Alaskan (lower left hand corner of map)
- 18 Shipwreck Georgia Straits (lower right portion of map)
- 19 Shipwreck Benita
- 21 Unknown Wreckage (BLM No. 574)
- 23 Unknown (BLM No. 350)
- C Rock (shown on nav chart)
- Area B Port of Los Angeles (POLA) Pier 400, Stage 2 reef construction

NOTE: The circle diameter is related to the uncertainty in the exact location of the shipwreck/obstruction (The larger the circle, the larger the uncertainty of the actual location).

Borrow Site AIII Grain Size Analysis

Sieve size (mm) 19.0 9.5 4.75 2.80 2.00 1.40 1.00 0.71 0.50 0.355 0.250 0.180 0.125 0.090 0.075 0.063

Project: PALOS VERDES SHELF BORROW SAMPLES

LAB NO.	HOLE NO.	DEPTH FEET		DEPTH METERS		ELEV FEET		ELEV METERS		LENGTH METERS	BEACH SAND GRADATIONS ---SAND (sieve no.)---															CLASSIFICATION	
		TOP	BOT	TOP	BOT	TOP	BOT	TOP	BOT		3/4	3/8	4	7	10	14	18	25	35	45	60	80	120	170	200		230
Area AIII to -23.2m MLLW ONLY																											
282 I	VC00-A3-03A	0.00	3.80	0.00	1.16	-72.0	-21.9	-23.1	1.16	100	100	100	99	98	97	95	89	78	63	40	16	4	2	1	1	SP	Poorly Graded Sand
282 K	VC00-A3-03A	3.80	4.60	1.16	1.40	-75.8	-23.1	-23.2	0.10	74	74	74	72	70	66	62	55	43	31	18	7	2	1	1	1	SP	Poorly Graded Sand With Gravel
283 G	VC00-A3-05	0.00	3.28	0.00	1.00	-74.0	-22.6	-23.2	0.64	100	100	99	99	98	97	96	93	86	70	43	14	3	1	1	1	SP	Poorly Graded Sand
283 L	VC00-A3-05A	0.00	2.00	0.00	0.61	-74.0	-22.6	-23.2	0.61	100	100	96	92	87	80	73	60	44	28	13	5	1	1	1	1	SP	Poorly Graded Sand
283 F	VC00-A3-05B	0.00	3.28	0.00	1.00	-74.0	-22.6	-23.2	0.64	100	100	99	98	98	96	94	89	74	51	27	9	3	2	2	2	SP	Poorly Graded Sand
283 E	VC00-A3-05C	0.00	1.50	0.00	0.46	-74.0	-22.6	-23.0	0.46	100	100	100	100	99	98	94	87	74	52	20	3	1	1	1	1	SP	Poorly Graded Sand
283 T	VC00-A3-05C	1.50	3.50	0.46	1.07	-75.8	-23.0	-23.2	0.19	90	90	87	86	85	83	78	67	48	30	16	7	2	1	1	1	SP	Poorly Graded Sand
283 W	VC00-A3-05D	0.00	2.50	0.00	0.76	-73.0	-22.3	-23.0	0.76	100	100	99	98	97	96	95	93	85	70	44	15	3	1	1	1	SP	Poorly Graded Sand
283 X	VC00-A3-05D	2.50	3.28	0.76	1.00	-75.5	-23.0	-23.2	0.19	100	100	91	88	86	83	80	76	69	57	36	14	3	1	1	1	SP	Poorly Graded Sand
284 C	VC00-A3-06	0.00	3.40	0.00	1.04	-72.0	-21.9	-23.0	1.04	100	100	99	98	98	96	94	89	77	59	36	13	2	1	0	0	SP	Poorly Graded Sand
284 D	VC00-A3-06	3.40	4.80	1.04	1.46	-75.4	-23.0	-23.2	0.22	87	86	84	82	80	76	66	50	35	23	13	5	2	1	1	1	SP	Poorly Graded Sand With Gravel
284 F	VC00-A3-07	0.00	0.80	0.00	0.24	-75.0	-22.9	-23.1	0.24	94	93	91	89	89	87	85	79	66	49	24	8	3	2	2	1	SP	Poorly Graded Sand
284 G	VC00-A3-07	0.80	2.50	0.24	0.76	-75.8	-23.1	-23.2	0.10	100	100	98	95	90	81	71	62	50	34	16	4	1	0	1	1	SP	Poorly Graded Sand
284 I	VC00-A3-07A	0.00	3.00	0.00	0.91	-77.0	-23.5	0.0	0.00	100	100	98	97	96	95	94	92	88	77	54	25	7	1	1	0	SP	Poorly Graded Sand
284 O	VC00-A3-07B	0.00	3.50	0.00	1.07	-76.0	-23.2	-23.2	0.04	100	100	99	99	98	97	96	94	88	73	45	17	5	1	0	0	SP	Poorly Graded Sand
284 S	VC00-A3-07C	0.00	2.30	0.00	0.70	-74.0	-22.6	-23.2	0.64	100	100	98	97	95	90	84	71	50	30	13	4	1	0	0	0	SP	Poorly Graded Sand
284 W	VC00-A3-07D	0.00	2.00	0.00	0.61	-75.0	-22.9	-23.2	0.34	100	100	100	100	99	98	96	93	84	66	36	11	3	1	1	1	SP	Poorly Graded Sand
285 E	VC00-A3-08	0.00	3.40	0.00	1.04	-74.0	-22.6	-23.2	0.64	96	96	93	92	90	88	86	84	79	67	43	18	6	2	2	2	SP	Poorly Graded Sand

Maximum	100	100	100	100	100	99	98	94	88	77	54	25	7	2	2	2
Average	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Minimum	74	74	74	72	70	66	62	50	35	23	13	4	1	0	0	0

D50 0.71 0.33 0.24

	CG	FG	CS	MS	FS	F
Maximum	0	0	0	18	80	2
Average	100	0	0	0	0	0
Minimum	26	0	4	41	29	0

TABLE 1

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## SUMMARY OF ANALYTICAL DATA FOR SOIL SAMPLES

Palos Verdes Shelf Superfund Investigation  
Palos Verdes, California

Parameter	Analytical Method	NOAA <sup>1</sup>		Sample Designation and Result (dry wt)			PSDDA 1998 <sup>2</sup>		Laboratory Reporting Units (dry wt)
		ERL	ERM	VCOO-A3-05-Comp	VCOO-A3-05-Comp Rep	VCOO-A3-07-Comp	Screening Level (SL)	Maximum Level (ML)	
<b>Physical/Conventional Tests</b>									
Total Percent Solids, %	ASTM D2216	— <sup>3</sup>	—	12.3	11.9	11.3	—	—	0.1 percent <sup>4</sup>
Total Organic Carbon, %	EPA 9060	—	—	0.019	0.021	0.020	—	—	0.01 percent
Total Sulfide, mg/kg	EPA 376.2	—	—	ND<0.1 <sup>5</sup>	ND<0.1	ND<0.1	—	—	0.100 mg/kg
Oil & Grease, mg/kg	EPA 413.2M	—	—	9.1	11	9.8	—	—	1.0 mg/kg
TRPH <sup>6</sup> , mg/kg	EPA 418.1M	—	—	7.7	8.3	9.2	—	—	1 mg/kg
Total Volatile Solids, %	EPA 160.4	—	—	1.01	1.0	1.0	—	—	0.1 percent
pH, pH units	EPA 9045B	—	—	8.32	8.41	8.28	—	—	0.1 pH units <sup>4</sup>
Ammonia-N, mg/kg	EPA 350.2M	—	—	ND<0.1	ND<0.1	ND<0.1	—	—	0.051 mg/kg
<b>Metals (mg/kg)</b>									
Antimony	EPA 6020	—	—	0.187	0.1650	ND<0.1	150	200	0.1
Arsenic	EPA 6020	8.2	70	4.48	3.95	4.43	57	700	0.1
Cadmium	EPA 6020	1.2	9.6	ND<0.1	ND<0.1	ND<0.1	5.1	14	0.1
Chromium	EPA 6020	81	370	10.6	10.0	10.9	—	—	0.1
Copper	EPA 6020	34	270	1.43	1.21	2.10	390	1,300	0.1
Lead	EPA 6020	46.7	218	2.34	2.16	2.66	450	1,200	0.1
Mercury	EPA 7471A	0.15	0.71	ND<0.1	ND<0.1	ND<0.1	0.41	2.3	0.1
Nickel	EPA 6020	20.9	51.6	2.84	2.54	3.63	140	370	0.1
Silver	EPA 6020	1.0	3.7	ND<0.1	ND<0.1	ND<0.1	6.1	8.4	0.1
Zinc	EPA 6020	150	410	9.66	8.41	11.9	410	1,800	0.1
<b>Organotins (µg/kg)</b>									
Tributyltin (sediment)	GC-EPD	—	—	ND<1.2	ND<1.2	ND<1.2	—	—	1.2
Dibutyltin	GC-EPD	—	—	ND<2.4	ND<2.4	ND<2.4	—	—	2.4
Monobutyltin	GC-EPD	—	—	ND<1.5	ND<2.5	ND<2.5	—	—	2.5

TABLE 1

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Page 2 of 3

## SUMMARY OF ANALYTICAL DATA FOR SOIL SAMPLES

Parameter	Analytical Method	NOAA <sup>1</sup>		Sample Designation and Result (dry wt)			FEDDA 1995 <sup>2</sup>		Laboratory Reporting Units (dry wt)
		ERL	ERM	VCOO-A3-US-Comp	VCOO-A3-US-Comp Rep	VCOO-A3-07-Comp	Screening Level (BL)	Maximum Level (ML)	
<b>Pesticides (mg/kg)</b>									
p,p'-DDE	EPA 8081A	---	---	ND<0.002	ND<0.002	ND<0.002	---	---	0.002
p,p'-DDE	EPA 8081A	2.2	27	ND<0.00087 <sup>3</sup>	ND<0.00087	ND<0.0011	---	---	0.002
p,p'-DDT	EPA 8081A	---	---	ND<0.002	ND<0.002	ND<0.002	---	---	0.002
Total DDT (DDE, DDT, and DDD)	EPA 8081A	1.58	46.1	ND<0.00087	ND<0.00087	ND<0.0011	6.9	69	0.002
Aldrin	EPA 8081A	---	---	ND<0.002	ND<0.002	ND<0.002	10	---	0.002
Chlordane	EPA 8081A	---	---	ND<0.024	ND<0.024	ND<0.024	10	---	0.020
Dieldrin	EPA 8081A	---	---	ND<0.002	ND<0.002	ND<0.002	10	---	0.002
Heptachlor	EPA 8081A	---	---	ND<0.002	ND<0.002	ND<0.002	10	---	0.002
gamma-BHC (Lindane)	EPA 8081A	---	---	ND<0.002	ND<0.002	ND<0.002	10	---	0.002
<b>PCBs<sup>4</sup> (mg/kg)</b>									
Aroclor 1016	EPA 8082	--	--	ND<0.024	ND<0.024	ND<0.025	--	--	0.02
Aroclor 1221	EPA 8082	--	--	ND<0.024	ND<0.024	ND<0.025	--	--	0.02
Aroclor 1232	EPA 8082	--	--	ND<0.024	ND<0.024	ND<0.025	--	--	0.02
Aroclor 1242	EPA 8082	--	--	ND<0.024	ND<0.024	ND<0.025	--	--	0.02
Aroclor 1248	EPA 8082	--	--	ND<0.024	ND<0.024	ND<0.025	--	--	0.02
Aroclor 1254	EPA 8082	--	--	ND<0.024	ND<0.024	ND<0.025	--	--	0.02
Aroclor 1260	EPA 8082	--	--	ND<0.024	ND<0.024	ND<0.025	--	--	0.02
Total PCBs	EPA 8082	22.7	180	ND	ND	ND	130	9100	0.02
<b>Semi-Volatile Organics (mg/kg)</b>									
Total LPAH <sup>5</sup>	EPA 8270C	552	3,160	ND	ND	ND	5,200	29,000	---
Naphthalene	EPA 8270C	160	2,100	ND<0.019	ND<0.02	ND<0.02	2,100	2,400	0.02
Acenaphthylene	EPA 8270C	44	640	ND<0.019	ND<0.02	ND<0.02	560	1,300	0.02
Acenaphthene	EPA 8270C	16	500	ND<0.019	ND<0.02	ND<0.02	500	2,000	0.02
Fluorene	EPA 8270C	19	540	ND<0.019	ND<0.02	ND<0.02	540	3,600	0.02
Phenanthrene	EPA 8270C	240	1,500	ND<0.019	ND<0.02	ND<0.02	1,500	21,000	0.02
Anthracene	EPA 8270C	85.3	1,100	ND<0.019	ND<0.02	ND<0.02	950	13,000	0.02
2-Methylnaphthalene	EPA 8270C	70	670	ND<0.019	ND<0.02	ND<0.02	670	1,900	0.02

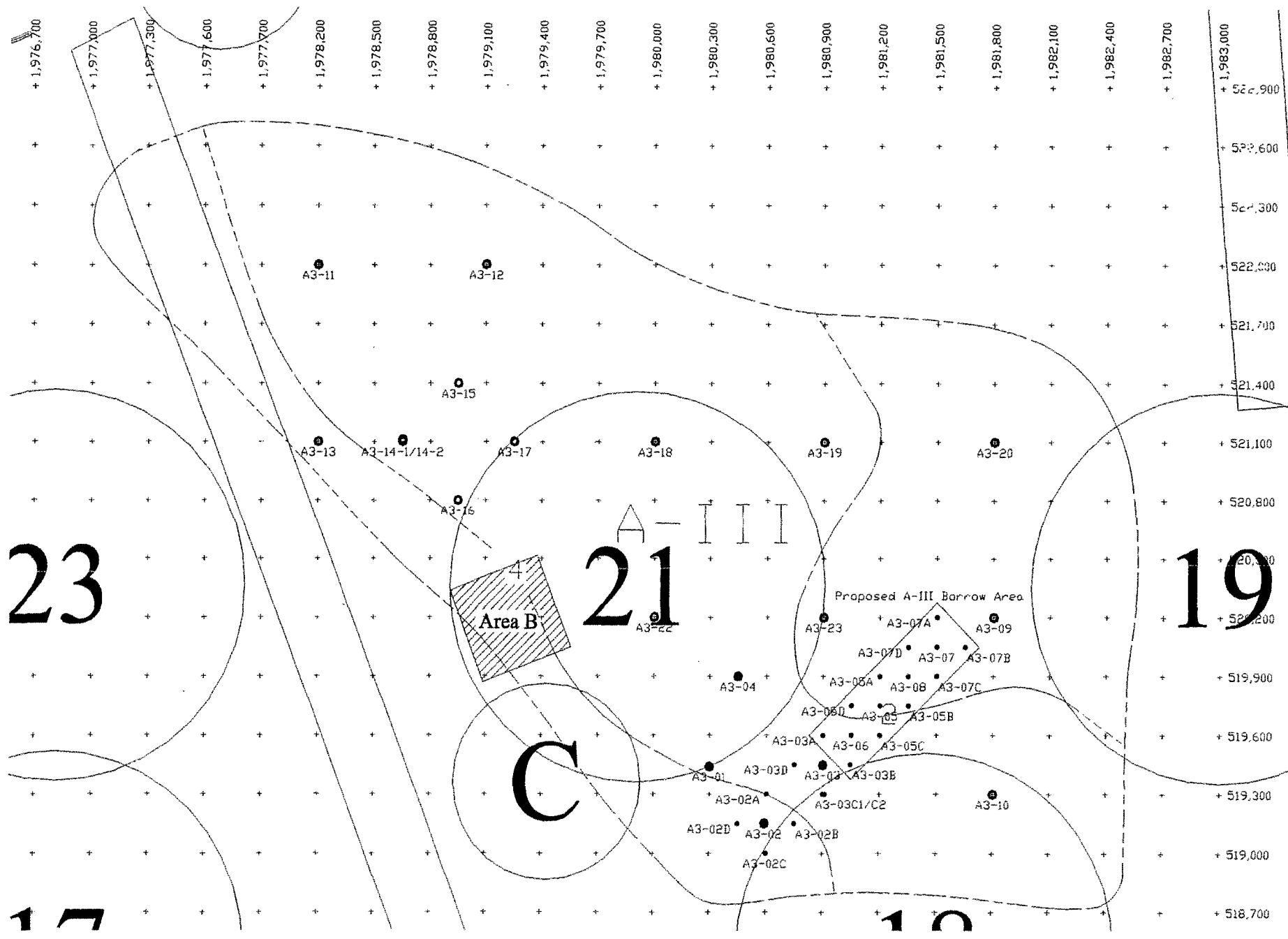
TABLE 1

DRAFT  
Page 3 of 3

## SUMMARY OF ANALYTICAL DATA FOR SOIL SAMPLES

Parameter	Analytical Method	NOAA <sup>1</sup>		Sample Designation and Result (dry wt)			FSDDA 1995 <sup>2</sup>		Laboratory Reporting Limits (dry wt)
		ERL	ERM	VCOO-A3-05-Comp	VCOO-A3-05-Camp Rep	VCOO-A3-07-Comp	Screening Level (BL)	Maximum Level (ML)	
<b>Semi-Volatile Organics (mg/kg), (cont.)</b>									
Total HPAH <sup>10</sup>	EPA 8270C	1,700	9,600	ND	ND	ND	12,000	69,000	--
Fluoranthene	EPA 8270C	600	5,100	ND<0.019	ND<0.02	ND<0.02	1,700	30,000	0.02
Pyrene	EPA 8270C	655	2,600	ND<0.019	ND<0.02	ND<0.02	2,600	16,000	0.02
Benzo(a)anthracene	EPA 8270C	261	1,600	ND<0.019	ND<0.02	ND<0.02	1,300	5,100	0.02
Chrysene	EPA 8270C	384	2,800	ND<0.019	ND<0.02	ND<0.02	1,400	21,000	0.02
Benzo(a)fluoranthene (b,k)	EPA 8270C	--	--	ND<0.019	ND<0.02	ND<0.02	3,200	9,900	0.02
Benzo(a)pyrene	EPA 8270C	430	1,600	ND<0.017	ND<0.017	ND<0.017	1,600	3,600	0.02
Indeno(1,2,3-c,d)pyrene	EPA 8270C	--	--	ND<0.019	ND<0.02	ND<0.02	600	4,400	0.02
Dibenzo(a,h)anthracene	EPA 8270C	63.4	260	ND<0.019	ND<0.02	ND<0.02	230	1,900	0.02
Benzo(g,h,i)perylene	EPA 8270C	--	--	ND<0.019	ND<0.02	ND<0.02	670	3,200	0.02
Total PAH <sup>11</sup>	EPA 8270C	4,022	44,972	ND	ND	ND	--	--	--

1. NOAA sediment quality guidelines developed for the National Status and Trends Program; ERL - Effects Range-Low and ERM - Effects Range-Median.
2. Puget Sound Design Disposal Analysis 1991.
3. -- = no sediment quality guidelines set for this analyte.
4. Unit of measure and result are based on wet sample/weight.
5. ND = not detected above indicated reporting limit.
6. TRPH = Total Recoverable Petroleum Hydrocarbons.
7. Analyte was detected at a concentration below the reporting limit, but above the method detection limit.
8. PCBs = Polychlorinated Biphenyls.
9. LPAH = Low-molecular Polynuclear Aromatic Hydrocarbons consisting of Naphthalene, Acenaphthylene, Acenaphthene, Fluorene, Phenanthrene, Anthracene, and 2-Methylanthracene.
10. HPAH = High-molecular Polynuclear Aromatic Hydrocarbons consisting of Fluoranthene, Pyrene, Benzo(a)anthracene, Chrysene, Benzo(a)fluoranthene (b,k), Benzo(a)pyrene, Indeno(1,2,3-c,d)pyrene, Dibenzo(a,h)anthracene, and Benzo(g,h,i)perylene.
11. PAH = Total Polynuclear Aromatic Hydrocarbons consisting of LPAHs and HPAHs.



**APPENDIX D**

**COMMENT LETTERS**

## **RESPONSE TO COMMENTS**

### **State of California, Department of Transportation letter dated 24 May 2000**

This agency has no comment.

### **U. S. Fish and Wildlife Service letter dated 23 May 2000**

The U. S. Fish and Wildlife Service expressed concerns that disposal of material at the West Anchorage Site could result in excessive turbidity in nearshore waters which, in turn, could impair California least tern foraging and nesting success. The U. S. Army Corps of Engineers prepared a response letter dated 2 June 2000 that responded directly to this concern. The Port of Long Beach's (POLB) Channel Deepening Plan was amended to include year round disposal of dredged materials at the West Anchorage Site. This conclusion was based on the depth of the water at the West Anchorage Site and the distance to the nearest shallow water foraging habitat. The U. S. Fish and Wildlife Service concurred with the finding that year-round disposal operations would not impact California least tern foraging or nesting.

### **U. S. Fish and Wildlife Service letter dated 15 June 2000**

The U. S. Fish and Wildlife Service reiterated their conclusion that consultation is required under the Endangered Species Act for disposal of sediments at the West Anchorage Site. Telephone discussions showed that the concern was for surface turbidity impacts to the new Port of Long Beach shallow water habitat located immediately adjacent to the Pier 400 Transportation Corridor.

The new shallow water habitat is located approximately 700 m northwest from the West Anchorage Site. Existing disposal operations from the Queens Gate dredging have not resulted in surface turbidity impacts to the new shallow water habitat. The proposed project will actually provide fewer impacts, in terms of quantities of material to be placed here (1,300 cubic yards versus 4.1 million cubic yards for the POLB project) and in quality of material. The proposed project would discharge sediments consisting of coarse sands versus fine sands for the POLB project. Sediments would thus cause a smaller turbidity plume, which would settle quicker than POLB sediments.

The U. S. Army Corps of Engineers has determined therefore, and U. S. Fish and Wildlife Service has concurred (U. S. Fish and Wildlife Service letter dated July 21, 2000), following informal consultation, with the finding, that the proposed project will not adversely affect the California least tern and that formal consultation in accordance with the Endangered Species Act is not required.



**State of California Resources Agency letter dated 8 June 2000**

The Resources Agency states in part "since the revised borrow project activity depicted in the EA entails the extraction of native material, the project may now be subject to SMARA [the 1975 Surface Mining and Reclamation Act]." The U. S. Army Corps of Engineers feels that the proposed project is not subject to SMARA. Section 2770(a) of SMARA states that "no person shall conduct surface mining operations". Section 2004 of SMARA defines a "person" as "any individual, firm, association, corporation, organization, limited liability company, or partnership, or any city, county, district, or the state or any department or agency thereof." The federal government is not included in this definition. Further, the federal government has not waived sovereign immunity for SMARA. The proposed project, therefore, is not subject to the provisions of SMARA.

**California Coastal Commission letter dated 19 June 2000**

The California Coastal Commission concurs with the determination made by the U. S. Army Corps of Engineers that a negative determination is suitable for the proposed project.

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7, ADVANCE PLANNING OFFICE 1-10  
120 SO. SPRING ST.  
LOS ANGELES, CA 90012  
(213) 897-3747 ATSS: 8- 647-3747  
FAX: (213) 897-6317



May 24, 2000

IGR/CEQA/DSEA/#000553/CP  
Borrow Site Dredging and Transportation, Palos  
Verdes Shelf Capping Demonstration Project  
Draft Supplemental Environmental Assessment  
Vic: LA-VAR-01 & 110

Mr. Robert E. Koplin, Chief  
Planning Division  
U.S. Army Corps of Engineers  
ATTN: Mr. Larry Smith, CESPL-PD-RN  
P.O. Box 532711  
Los Angeles, California 90053-2325

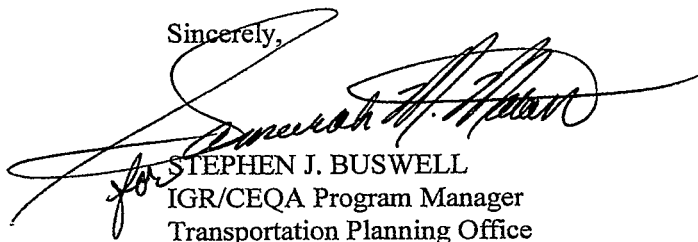
Dear Mr. Koplin:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review for the project referenced above. The proposed project includes the excavation and transport of sediments to the PV Shelf site where they will be disposed of in a controlled manner to construct a demonstration cap over contaminated sediments. The proposed project will allow the USEPA to evaluate the potential use of ISC in the field.

Based on our review of the information received we have no comment at this time. Should we identify any issues that should be brought to your attention, we will contact you further.

If you have any questions regarding this response please reference IGR #000553 and call me at (213) 897-4429 or contact Cheryl Powell the IGR/CEQA Coordinator for the project at (213) 897-3747.

Sincerely,

  
for STEPHEN J. BUSWELL  
IGR/CEQA Program Manager  
Transportation Planning Office



United States Department of the Interior  
Fish and Wildlife Service  
Ecological Services  
Carlsbad Fish and Wildlife Office  
2730 Loker Avenue West  
Carlsbad, California 92008



Colonel John P. Carroll  
District Engineer, Los Angeles District  
U.S. Army Corps of Engineers  
P.O. Box 532711  
Los Angeles, California 90053-2325

**MAY 23 2000**

Attn: Mr. Larry Smith, CESPL-PD-RN

Re: Draft Environmental Assessment for Borrow Site Dredging and Transportation, Palos Verdes Shelf Capping Demonstration Project, Pacific Ocean, Palos Verdes, California

Dear Colonel Carroll:

We have completed our review of the Draft Environmental Assessment for Borrow Site Dredging and Transportation, Palos Verdes Shelf Capping Demonstration Project, Pacific Ocean, Palos Verdes, California (DEA) dated May 2000. The proposed project would dredge up to 20,000 cubic meters of material from a borrow site outside the Long Beach Harbor breakwater for disposal both in the harbor and on the Palos Verdes (PV) Shelf. The first load of approximately 1,000 cubic meters of material would be disposed of either in the harbor at the West Anchorage Site, pending approval from the Port of Long Beach, or at the LA-2 Ocean disposal site. The remaining dredge material will be checked for suitability for use in the capping project. Suitable material will be transported to and disposed of on the PV shelf. Unsuitable material will be disposed of either in the harbor at the West Anchorage Site, pending approval from the Port of Long Beach, or at the LA-2 Ocean disposal site.

While we recognize the importance of the proposed project to restoring sediment and biological conditions on the PV shelf, we believe that your project may affect the federally listed endangered California least tern (*Sterna antillarum browni*). Specifically, disposal of material at the West Anchorage Site could result in excessive turbidity in the nearshore waters thereby impairing California least tern foraging and nesting success at the nearby Pier 400. Impacts to California least terns can be avoided by 1) using only the LA-2 ocean disposal site and not the West Anchorage Site or 2) conducting the project outside the California least tern breeding season or between September 15 and April 15. If you elect to use the West Anchorage Site and conduct your project during the California least tern breeding season, we recommend your agency initiate consultation with us pursuant to section 7 of the Endangered Species Act as soon as possible to avoid any unnecessary project delays.

Colonel Carroll

2

If you have any questions regarding our comments, please contact Jack Fancher at (760) 431-9440.

Sincerely,

*Nancy Gilbest*  
for Jim A. Bartel  
Assistant Field Supervisor



United States Department of the Interior

Fish and Wildlife Service  
Ecological Services  
Carlsbad Fish and Wildlife Office  
2730 Loker Avenue West  
Carlsbad, California 92008



JUN 15 2000

Robert E. Koplin  
Chief, Planning Division  
Corps of Engineers  
Los Angeles District  
P.O. Box 532711  
Los Angeles, California 90053-2325

Attn: Larry Smith, Planning Division

Re: "May Adversely Affect" Determination Regarding the Palos Verdes Shelf Capping  
Demonstration Project, Los Angeles County, California

Dear Mr. Koplin:

This letter responds to your letter dated June 2, 2000, on the proposed Palos Verdes Shelf Capping Demonstration Project, which would result in the in-water disposal of dredge material in Long Beach Harbor, Los Angeles County, California. You disagreed with the recommendation in our letter of May 23, 2000, that formal consultation pursuant to section 7 of the Endangered Species Act of 1973, as amended (Act), should be initiated on the referenced subject. You concluded that "the proposed project will avoid and/or minimize project impacts to a level that is not considered significant nor will it have any effect or jeopardize the continued existence of any federally listed threatened or endangered species." Ignoring that the above statement implies that the project may adversely affect federally listed species, albeit neither significantly nor reaching the level of jeopardy in your view, we maintain that formal consultation is in order and provide an explanation below.

The U.S. Fish and Wildlife Service (Service) and U.S. Army Corps of Engineers (Corps) have a long history of successful endangered species consultation on Corps projects and permits centered around the federally endangered California least tern (*Sterna antillarum browni*, "least tern") in Los Angeles Harbor. The least tern has a significant breeding presence on Terminal Island and captures its essential prey fish from certain areas of San Pedro Bay. Three principle measures have been implemented, starting in the 1970's, that protected the least tern from harm and yet allowed many large harbor development projects to proceed. Those measures are:

1. Protection and management of the designated least tern nesting area pursuant to an interagency agreement,

2. One-for-one replacement, in an approved area of the harbor, of essential foraging area (water areas shallower than 20 feet deep) lost to dredging or filling before the onset of the least tern breeding season, and
3. Protection of essential foraging area from degradation (i.e., surface turbidity) during the least tern nesting season, April to September.

Regarding measure #1, we have had an approved interagency agreement among the Service, Corps, Port of Los Angeles, and California Department of Fish and Game in place for a long time, which has been renewed periodically. The 2000-2002 renewal version is now circulating among the agencies, including the Corps, for signature. We hope that the District Engineer signs this renewed agreement given that it has served all interests well. According to Term and Condition 8 of this agreement, "[a]ll parties concur that any activities in the nearby shallow waters that are not in compliance with existing legislation and are likely to disrupt the feeding activities of the California least tern should be avoided except as provided through consultation pursuant to section 7 of the federal Endangered Species Act."

Regarding measure #2, the replacement of harbor shallow water areas within the harbor has been ongoing for years, subject to formal and informal section 7 consultations, mostly on the Port of Los Angeles side of San Pedro Bay. However, the Port of Long Beach successfully relocated a 16-acre shallow water area in 1999 from within the former Navy waters at their Pier T development to an outer harbor location on the southeast corner of the Pier 400 landfill. This project was subject to a Corps section 10/404 permit. Foraging activity of the least tern at this location has been monitored and is reported in the attached report entitled *Foraging surveys of the California least tern at the shallow water habitat area, Long Beach Outer Harbor, Port of Long Beach, 1999* by Keane Biological. The environmental documents and project considerations you mentioned in your letter are from before or about 1998, and did not address this feature. According to the attached report, the least tern uses this area more than adjacent deeper waters as well as the location of the shallow water area. The subject proposed in-water disposal is very near this existing and utilized least tern foraging area.

Regarding measure #3, protection of essential foraging areas (designated shallow water areas) has been enabled by a simple requirement that precludes discharges or activities that create obvious turbidity in surface waters of a designated shallow water area. Open-water discharges in the area of the Port of Long Beach West Anchorage has a likelihood of creating a turbid plume that would be carried into the shallow water feeding area located on the east edge of the Pier 400 landfill, which would interfere with least tern foraging if done during the breeding season. Therefore, we recommend against conducting such discharges during the least tern breeding season to avoid adversely affecting the least tern. Given knowledge of the specific location, disposal method, timing, and current pattern at the time of discharge, it is conceivable that a single discharge in the proposed West Anchorage would not adversely affect the least tern. However, as you have phrased the proposal, which was reiterated in your recent letter, we cannot agree that the proposed project would not adversely affect the least tern. Therefore, in order for

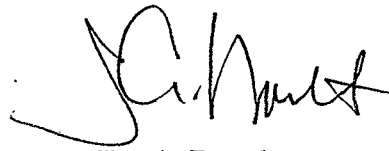
Robert E. Koplín

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you to proceed as you have proposed and prior to any irreversible commitment of resources, the Corps should initiate formal section 7 consultation pursuant to the regulatory requirements at 50 CFR § 402.14.

We would be pleased to continue informal consultation, as appropriate. We have successfully used this process under the Endangered Species Act to avoid the need for formal consultation. For example, disposal at an approved offshore dredge material disposal site would not adversely affect the least tern. If you any questions regarding this letter, please contact Jack Fancher of this office at (760) 431-9440.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim A. Bartel". The signature is fluid and cursive, with a large initial "J" and "A".

Jim A. Bartel  
Assistant Field Supervisor

Enclosure

cc: Fred Schauffler, EPA w/o attachment  
Port of Long Beach  
Port of Los Angeles  
California Coastal Commission  
RWQCB  
Corps, Regulatory Branch  
CNO, Sacramento



United States Department of the Interior  
Fish and Wildlife Service  
Ecological Services  
Carlsbad Fish and Wildlife Office  
2730 Loker Avenue West  
Carlsbad, California 92008



JUL 21 2000

Robert E. Koplin  
Chief, Planning Division  
Corps of Engineers  
Los Angeles District  
P.O. Box 532711  
Los Angeles, California 90053-2325

Attn: Larry Smith, Planning Division

Re: Informal Section 7 Consultation on Proposed In-water Disposal of Dredge Material in Long Beach Harbor as part of Palos Verdes Shelf Capping Demonstration Project, Los Angeles County, California

Dear Mr. Koplin:

This responds to your letter dated July 7, 2000, on the proposed in-water disposal of dredge material in Long Beach Harbor as part of Palos Verdes Shelf Capping Demonstration Project located in Los Angeles County, California. In response to our letter of June 15, 2000, you provided additional information on the referenced subject, and again requested our concurrence that the proposed project would not adversely affect federally listed species. At issue is the federally endangered California least tern (*Sterna antillarum browni*), which breeds at the harbor.

You provided additional information regarding the ongoing disposal of dredge material from the Queen's Gate dredging project. This currently utilized disposal area is the same as that proposed for the subject project. Reportedly, a qualified least tern foraging surveyor made regular visits this year to the shallow water feeding area constructed last year and observed no turbid water disturbance during the disposal of dredge material from the Queen's Gate dredging project. In addition, after examining the ongoing turbidity monitoring for this dredge disposal, you concluded that turbid water was not being swept by currents into the shallow water feeding area. Lastly, you proposed to add a condition to your project description, similar to that used on permits and other Federal projects in this area, to preclude continuing disruption of water quality in the least tern shallow water foraging area. As a result, we concur that the ongoing Queen's Gate dredge disposal in the West Anchorage and the one-time discharge from the Palos Verdes Shelf Capping Demonstration Project would not adversely affect least tern. Moreover, disposal at an approved offshore dredge material disposal site clearly also would not adversely affect the species.







Gray Davis  
GOVERNOR

STATE OF CALIFORNIA

Governor's Office of Planning and Research  
State Clearinghouse



Steve Nissen  
ACTING DIRECTOR

June 12, 2000

Larry Smith  
U.S. Army Corps of Engineers  
911 Wilshire Boulevard  
Sacramento, CA 90018

Subject: Borrow Site Dredging and Transportation, Palos Verdes Shelf Capping Demonstration Project  
SCH#: 2000054007

Dear Larry Smith:

The State Clearinghouse submitted the above named Environmental Assessment to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 9, 2000, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

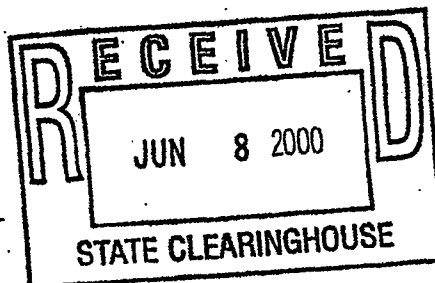
Terry Roberts  
Senior Planner, State Clearinghouse

Enclosures

cc: Resources Agency

State of California

## MEMORANDUM



The Resources Agency

*Clear  
6-a-00  
e*To: Project Coordinator  
Resources Agency

Date: June 8, 2000

Mr. Larry Smith  
U.S. Army Corps of Engineers  
911 Wilshire Boulevard  
Los Angeles, CA 90018From: Department of Conservation  
Office of Governmental and Environmental RelationsSubject: Environmental Assessment for the Borrow Site Dredging and Transportation,  
Palo Verdes Shelf Capping Demonstration Project – SCH #2000054007

The California Department of Conservation's Office of Mine Reclamation (Office) has reviewed the referenced EA. The Office is responsible for the statewide administration of the 1975 Surface Mining and Reclamation Act (SMARA). We offer the following comments on the project with respect to its compliance with SMARA.

The borrow site described in this document differs from those characterized in an earlier document on the project. The material source described for the project in the preceding document involved the use of excess material from a construction project, an activity that is likely exempt from SMARA. However, since the revised proposed borrow activity depicted in the EA entails the extraction of native material, the project may now be subject to SMARA.

Because this project involves a unique project for SMARA application, I recommend that you immediately contact the Office's Reporting and Compliance Unit to discuss the project and its qualification as a dredging project under SMARA. Please call Mr. John Amodio, Unit Manager, at (916) 323-2984.

Thank you for the opportunity to comment on the EA. If I can be of assistance, please feel free to call me at (916) 445-8733.

A handwritten signature in black ink, appearing to read "Jason Marshall".

Jason Marshall  
Assistant Director

cc: John Amodio

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2000054007  
**Project Title** Borrow Site Dredging and Transportation, Palos Verdes Shelf Capping Demonstration Project  
**Lead Agency** U.S. Army Corps of Engineers

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**Type** ea Environmental Assessment  
**Description** Dredge and transport dredged material from Borrow Site AIII to the Palos Verdes Shelf for use in creating and evaluating in-site capping technology for a Superfund site..

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**Lead Agency Contact**

**Name** Larry Smith  
**Agency** U.S. Army Corps of Engineers  
**Phone** (213) 452-3846 **Fax**  
**email**  
**Address** 911 Wilshire Boulevard  
**City** Sacramento **State** CA **Zip** 90018

---

**Project Location**

**County** Los Angeles  
**City** Long Beach  
**Region**

**Cross Streets**

**Parcel No.**

**Township**

**Range**

**Section**

**Base**

---

**Proximity to:**

**Highways**

**Airports**

**Railways**

**Waterways** Pacific Ocean

**Schools**

**Land Use** Commercial/Recreation

---

**Project Issues** Air Quality; Archaeologic-Historic; Noise; Traffic/Circulation; Water Quality; Wildlife

---

**Reviewing Agencies** Resources Agency; Department of Boating and Waterways; California Coastal Commission; Department of Conservation; Department of Fish and Game, Region 5; Department of Fish and Game, Marine Region; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

---

**Date Received** 05/11/2000 **Start of Review** 05/11/2000 **End of Review** 06/09/2000

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## CALIFORNIA COASTAL COMMISSION

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



June 19, 2000

Robert E. Koplin, Chief  
Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
Attn: Larry Smith  
P.O. Box 532711  
Los Angeles, CA 90053-2325

RE: **ND-051-00** Negative Determination, Army Corps, Dredging at "Borrow Area AIII" site, offshore of Long Beach and San Pedro, Los Angeles County

Dear Mr. Koplin:

The Corps has submitted a negative determination for dredging at "Area AIII Borrow Site" of up to 20,000 cu. yds. of material for disposal as part of a pilot project associated with the Environmental Protection Agency's (EPA's) investigation of the feasibility of capping the historic "Superfund"<sup>1</sup> site of DDTs and PCBs at White's Point on the Palos Verdes Shelf. EPA has submitted a consistency determination for the pilot/demonstration project for Commission consideration at the June 2000 meeting. National Oceanic & Atmospheric Administration studies have established that capping of the contaminated sediments is technically feasible, and EPA is proposing a limited capping project to further refine alternatives, look at behavior of different grain size capping material, monitor resuspension impacts, compare disposal equipment alternatives, and demonstrate that the site can be capped and obtain other field data on short-term processes and behavior of the cap as placed.

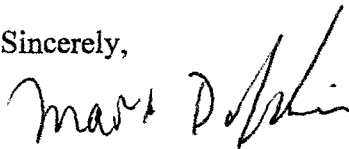
The Corps' submittal is in two parts (ND-038-00 & ND-051-00), because of EPA's need to obtain two different grain sizes for experimentation in the pilot project. Up to 20,000 cu. yds. of coarse sediments would be used from the new dredging at Borrow Area AIII (the subject ND-051-00); the remainder of the material (i.e., finer sediments) would be used from the Queens Gate/Main Channel site (ND-038-00). All the material has been tested and is suitable for open ocean disposal.

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<sup>1</sup> Pursuant to the Comprehensive Environmental Response Compensation and Liability Act (CERCLA)

Under the federal consistency regulations a negative determination can be submitted for an activity "which is the same as or similar to activities for which consistency determinations have been prepared in the past." The proposed dredging and disposal activities are similar to related actions described in EPA's consistency determination (CD-52-00). We therefore **concur** with your negative determination for this project made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions.

Sincerely,



(for) PETER M. DOUGLAS  
Executive Director

cc: Long Beach Area Office  
California Department of Water Resources  
Governors Washington D.C. Office  
Environmental Protection Agency (Fred Schauffler)