



Dredging Application for Regional General Permit 54

Corps File No. SPL-2013-00020-GS

Coastal Commission CDP 5-14-0200-A1 and CC-0002-15

Clean Water Act Section 401 Certification No. 302014-03 and 302019-21

This application form should be filled out electronically and submitted to Public Works. Note that if multiple adjacent properties are applying under a single application, the limitations for a single project will apply.

GENERAL INFORMATION

Were plan views of the dredging and disposal footprints previously submitted to Public Works as part of the pre-application process? Yes No

Please re-attach the dredging and disposal footprints to this application. If you do not have a pre-application dredging report from the City, you will not be able to move forward with this application. Please submit dredging and disposal footprints to the City to initiate pre-application screening.

Is your project within the Regional General Permit 54 Plan Area? Yes No

To answer this question, please refer to your pre-application dredging report.

Project number

Please enter the project number assigned on your pre-application dredging report.

Project address

Applicant name

Applicant address

Applicant phone number

Authorized agent/contractor

Note: Having a contractor in place is not required for a complete application at this time.

Additional contractors (if any)

Name of dredging/disposal operations inspector (if known)

This is the person who will be overseeing construction operations.

Dredging and disposal operations (please assume a start date 60 to 90 days after application)

Proposed start date

Proposed completion date

To your knowledge, will contiguous properties be proposing dredging at the same time as this application? Yes No

Is the project within any of the following areas?

- Irvine Company owner’s approved area
- Bay Island owner’s approved area
- Dover Shores owner’s approved area
- Linda Isle owner’s approved area

DREDGING OPERATIONS

Is your project proposing to dredge less than 2,500 cubic yards? Yes No

Anticipated volume (cubic yards) to be dredged and disposed, including design and overdredge volumes

cubic yards

Dredge site latitude/longitude coordinates (center of dredge footprint)

Note dredging is not authorized in certain areas of Newport Bay, including the Balboa Yacht Basin, Promontory Bay, and at dredging depths between -8 and -12 feet mean lower low water [MLLW] for several other areas.

To answer this question, please refer to your pre-application dredging report.

Dredge depth, including overdredge

Dredging operations are limited to -10 feet MLLW with a 2-foot allowable overdredge. For specified locations, the maximum depth would be -7 feet MLLW plus 1 foot of overdredge allowance.

feet MLLW

Was additional sediment characterization required based on the location? Yes No

Refer to your pre-application dredging report for sediment characterization restrictions.

- If yes, attach results and proof of U.S. Environmental Protection Agency and U.S. Army Corps of Engineers approval.

Dredging limitations and sediment sampling requirements

Please include any conditions under "Sediment Characterization" from your pre-application dredging report.

Dredge method/equipment (hydraulic, clamshell, etc.)

Dredge footprint area (in square feet)

To answer this question, please refer to your pre-application dredging report.

square feet

Will water quality monitoring be required? Yes No

If dredging will extend beyond 2 consecutive days, monitoring will be required every other day beginning with the third day (days 3, 5, 7, etc.).

All water quality monitoring results shall be forwarded to the City and the RWQCB by project applicants.

DISCHARGE/DISPOSAL OPERATIONS

Disposal operation (check all that apply):

Beach replenishment

Offshore/ocean disposal (LA-3 site)

Dredged material deemed unsuitable for beach replenishment may be deposited at the approved ocean disposal site, with agency approval. (Lat/Long: 33°31'00" N; 117°53'30" W)

Inland disposal (if neither beach replenishment nor ocean disposal are available)

If the disposal site is located in the coastal zone, a separate CDP application shall be filed for disposal of the material.

Disposal site latitude/longitude coordinates

Disposal method/equipment

If beach disposal, square feet of proposed disposal location

To answer this question, please refer to your pre-application dredging report.

square feet

If beach disposal, is the dredging site located within 1,000 feet? Yes No

To answer this question, please refer to your pre-application dredging report.

Detailed estimate of how much material has been dredged from or discharged onto the site through previous activities, if known

Proximity of eelgrass to the discharge location:

To answer this question, please refer to the "Eelgrass Impact" section of your pre-application dredging report.

Note if eelgrass is within 15 feet, the site is assumed to support eelgrass and cannot be used as a disposal site.

15 to 30 feet from site

Pre-and post-project monitoring of the site required for potential eelgrass impacts from disposal operations.

None within 30 feet

Monitoring not required for disposal operations.

EELGRASS ZONE(S)

What is the proposed dredging area in the stable, transitional, and unvegetated eelgrass zones?

To answer these questions, please refer to your pre-application dredging report.

- Stable Zone sq. ft.
- Transitional Zone sq. ft.
- Unvegetated Zone sq. ft.

What is the area of eelgrass impacted in stable and transitional zones, and the current tier(s)?

To answer these questions, please refer to your pre-application dredging report.

- Stable Zone sq. ft. Corresponding current tier: 1 2 3
- Transitional Zone sq. ft. Corresponding current tier: 1 2 3

ATTACHMENT REQUIREMENTS

Please submit the following (included attachments as combined PDF):

- Pre-application dredging report from City
- Map of the project site, including:
 - Location within the harbor
 - Site address
 - Site assessor's parcel number
 - Site latitude and longitude coordinates (decimal degree format)
- To-scale drawings of the proposed action (plan view and cross-section view of proposed activity), including:
 - Boundaries of proposed sediment dredging and/or disposal work
 - Location and physical dimensions of any existing docks, floats, piers, pilings, and bulkheads (and general outline of same that is present on adjacent sites)
 - Project and pierhead lines
 - Specific location of any eelgrass beds within or near the work area (based on the most recent comprehensive eelgrass survey, provided in the pre-application dredging map information)
- Photos (minimum of five) of entire dredge area and beach disposal areas at low tide, prior to any work, with special emphasis on any areas of eelgrass

- Results of physical characteristic (grain size) testing performed at dredging location and any beach-receiver location:
 - Prior to each dredging episode at each individual dredging location and prior to beach replenishment at each replenishment location, the permittee shall sample the material to be dredged and any beach-receiver location for the purpose of determining the physical characteristics of the material. Testing shall be performed consistent with procedures defined in “Procedures for Handling and Chemical Analysis of Sediment and Water Samples” by Russell H. Plumb (1981), Corps Technical Report EPA/CE-81-1, pages 3-28 to 3-47.
 - The grain size test shall be conducted on a composite of at least one core per 0.25-acre area to be dredged and/or at least one core per site for each project, as well as at least one core per beach-receiver location. Note that if multiple adjacent properties are applying under a single application, the limitations for a single project will apply. The core depth shall be equivalent to the proposed dredging depth plus any overdredging. Grain size data shall be reported to the nearest 1% for sand, silt, and clay, consistent with procedures defined in “Procedures for Handling and Chemical Analysis of Sediment and Water Samples,” by Russell H. Plumb (1981), Corps Technical Report EPA/CE-81-1, pages 3-28 to 3-47.
 - Material utilized for beach replenishment shall have a sand content that is either: 1) greater than 80% sand; or 2) at least 75% sand and within 10% of the sand content of the receiver beach. Any material that meets the requirements outlined above for beach replenishment and consists of less than 75% to 80% sand shall only be placed upon submerged beach areas (i.e., below the water line).
- Results of any additional sediment characterization that may have been performed and proof of U.S. Environmental Protection Agency and U.S. Army Corps of Engineers approval
- City fee: check made payable to City of Newport Beach
Refer to the Public Works website for the current fee amount.
- Check for Clean Water Act Section 401 Certification fee, made payable to State Water Resources Control Board
Refer to the Public Works website for the current fee amount.
- Regional Water Quality Control Board Certification Statement (please refer to example template located on the Public Works website)
- Dredging, Transport, and Discharge Operations Plan for Beach Replenishment ONLY or Dredging, Transport, and Discharge Operations Plan for Open Ocean Disposal ONLY (please refer to example templates located on the Public Works website)
If a contractor has not yet been identified for the project, please wait to submit the appropriate Dredging, Transport, and Discharge Operations Plan until those details are available. Note that City and agency review times for the Dredging, Transport, and Discharge Operations Plan are anticipated to be 90 days or more; please ensure your submittal of this Plan provides adequate time before the project’s proposed start date.

INFORMATION TO BE PROVIDED AFTER APPLICATION, PRIOR TO PROJECT

An Applicant Agreement, signed by the applicant and authorized agent(s), will be required before the start of construction if the project application is approved. A copy of the agreement can be found on the Public Works website.

The applicant may use the *Caulerpa (Caulerpa taxifolia)* presence/absence determination from the biennial eelgrass surveys in lieu of commissioning one or more *Caulerpa* surveys as part of the application and preconstruction permit requirements.

If *Caulerpa taxifolia* is discovered, the City will notify the RWQCB, the California Department of Fish and Wildlife (CDFW), the Executive Director of the California Coastal Commission (CCC), the Surveillance Subcommittee of the Southern California *Caulerpa* Action Team, and NMFS within 24 hours of discovery. Dredging or disposal of dredged material shall not proceed in the Plan Area until the City has provided evidence to the Executive Director of the CCC that all *Caulerpa taxifolia* discovered within the Plan Area has been eliminated in a manner that complies with all applicable governmental approval requirements, including, but not limited to, those of the California Coastal Act.

A pre-dredge bathymetric condition survey performed within 30 days of the dredge start date.

If eelgrass was found to be within 15 to 30 feet of the discharge location, pre-project eelgrass monitoring transects will be established.

To ensure navigational safety, the applicant shall provide appropriate notifications to the U.S. Coast Guard (USCG) and local mariners at least 15 calendar days prior to commencing work.

1. The permittee shall notify the USCG, Commander, 11th Coast Guard District (dpw) and the USCG, Sector LA-LB (Captain of the Port) (d11LNM@uscg.mil and john.p.hennigan@uscg.mil) not less than 15 calendar days prior to commencing work and as project information changes. The notification shall be provided by e-mail with at least the following information, transmitted as an attached Word or PDF file:
 - a. Project description, including the type of operation (i.e., dredging, diving, construction, etc.).
 - b. Location of operation, including latitude/longitude (NAD 83).
 - c. Work start and completion dates and the expected duration of operations. The USCG needs to be notified if these dates change.
 - d. Vessels involved in the operation (name, size, and type).
 - e. VHF-FM radio frequencies monitored by vessels on scene.
 - f. Point of contact and 24-hour phone number.
 - g. Potential hazards to navigation.
 - h. Chart number for the area of operation.
 - i. The Corps Regulatory Division recommends the following language be used in the Local Notice to Mariners: "Mariners are urged to transit at their slowest safe speed to minimize wake, and proceed with caution after passing arrangements have been made."

2. The permittee and its contractor(s) shall not remove, relocate, obstruct, willfully damage, make fast to, or interfere with any aids to navigation defined at 33 Code of Federal Regulations Chapter I, Subchapter C, Part 66. The permittee shall ensure its contractor notifies the USCG in writing, with a copy to the Corps Regulatory Division, not less than 30 calendar days in advance of operating any equipment adjacent to any aids to navigation which require relocation or removal. Should any federal aids to navigation be affected by this project, the permittee shall submit a request, in writing, to the Corps Regulatory Division as well as the USCG, Aids to Navigation office. The permittee and its contractor(s) are prohibited from relocating or removing any aids to navigation until authorized to do so by the Corps Regulatory Division and the USCG.
3. Should the permittee determine the work requires the placement and use of private aids to navigation in navigable waters of the United States, the permittee shall submit a request in writing to the Corps Regulatory Division as well as the USCG, Aids to Navigation office. The permittee is prohibited from establishing private aids to navigation in navigable waters of the United States until authorized to do so by the Corps Regulatory Division and the USCG.
4. The Captain of the Port may modify the deployment of marine construction equipment or mooring systems to safeguard navigation during project construction. The permittee shall direct questions concerning lighting, equipment placement, and mooring to the Captain of the Port.