



US Army Corps
of Engineers®

Regulatory Division
1455 Market Street
San Francisco, CA 94103-1398

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

**PROJECT: CRESCENT CITY INNER BOAT BASIN REHABILITATION, DEL
NORTE COUNTY**

NUMBER: 2010-00426N DATE: February 4, 2010 RESPONSE REQUIRED BY: March 6, 2011

PROJECT MANAGER: Carol Heidsiek PHONE: 707-443-0855

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1. **INTRODUCTION:** The Crescent City Harbor District (101 Citizen's Dock Road, Crescent City, California 95531) has applied for an individual permit (5-year) for their inner boat basin rehabilitation project in Del Norte County, California (Figures 1 and 2). This application is being processed pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 403).

PROJECT SUMMARY: The proposed project would restore the inner boat basin to its pre-disaster capacity and function (prior to November 15, 2006). Since the proposed project is essentially a rebuild of the marina within the confines of the inner boat basin, the Harbor District conducted an examination of dock reconfigurations within the inner boat basin marina in order to maximize the potential to accommodate a range of boat sizes that varies from summer to winter. Summer tends to see more pleasure crafts in the harbor as the summer climate promotes recreational uses. The winter is the peak time for commercial fishing.

Ten layouts for rehabilitation were considered. The Harbor Commission reviewed all ten options during a public meeting of the Commission at their February 16, 2010, regular meeting. The Commission chose Option 8 (Figure 3) as the preferred alternative. This option mimics the pre-disaster layout and also provides adequate

distribution of all sizes of slips sufficient to meet current needs and provides flexibility to accommodate additional boats in all categories including 30-foot boats, if needed in the future.

The preferred alternative would restore the damaged inner boat basin to pre-disaster capacity and service levels as well as reduce the likelihood of damage from future tsunami events. The preferred alternative includes the installation of a wave attenuator as part of the replacement of "H" dock and installation of socketed piles. The capacity of the restored inner boat basin would be approximately the same as pre-disaster capacity.

The following tasks would be performed to complete this work:

Dredge Disposal of Tsunami Generated Silt Material – removal of 7,424 cubic yards (CY) of dredge materials from the inner boat basin. Although 27,000 CY of dredging is needed to restore the basin to its original depth, the remaining 19,576 CY would be removed through the regular maintenance by the Harbor District.

Replace Rock Slope Protection Replacement – about 4,253 CY of rock slope protection (RSP) was displaced due to the tsunami and would be replaced through this project. The two revetment areas within the inner boat basin located at the southeast corner of the inner boat basin are about 45-foot wide

and 150-foot long. The areas require replacement of the geo-fabric and placement of one- and two-ton revetment materials. The work would occur in the existing project footprint according to Figure 4.

Removal and Replacement of Pilings – all existing pilings (161) would be replaced and a total of 80 additional pilings would be installed. The preferred method of installation of the piles would involve placing a steel casing through the silt on the bottom of the inner boat basin and driving the casing about 6-inches into the rock silt. The casing would be oversized for the piling to be installed.

After removal of the overburden within the steel casing, a “drill” would be used create a round hole onto the rock and would adequately support the estimated pile load. The spoils would be contained in the steel casing and removed to the barge being used to install the new piers. Next, the new pile would be lowered into the hole and grout the annulus between the casing and the pile.

Removal and Replacement of Docks – a total of 1,035 docks that total 57,100 square feet would be removed and replaced. All removed docks would be disposed in approved sites. New, prefabricated docks would be installed connected together to the previously set pilings.

Installation of Wave Attenuator – a wave attenuator with an open layout and shallow floats would be installed to accommodate vertical motion due to tsunami waves and allow currents to vent underneath.

Installation of Four ADA and ABA Gangways – at least one gangway per a pier would be constructed (Figure 5) to comply with the Americans with Disabilities Act and the Architectural Barriers Act.

Dock Utilities Replacement – dock replacement necessitates replacement of the dock utilities to meet current codes and upgrades.

Fire Protection System Installation – about 5,000 linear feet of 4-inch pipe would be installed to provide water to 15 hose reel stations. The fire protection system would be subject to inspection and approval by local fire officials.

3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act of 1969 (NEPA): The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Division, 1455 Market Street, San Francisco, California 94103-1398.

Endangered Species Act of 1973 (ESA): Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps' permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat. Inner boat basin rehabilitation activities in the project area may adversely affect the threatened Southern Oregon/Northern California (SONCC) Evolutionarily Significant Unit (ESU) coho salmon (*Oncorhynchus kisutch*), Chinook salmon (*O. tshawytscha*) and their critical habitat, as well as the Stellar Sea Lion (*Eumetopias jubatus*).

The FEMA completed technical assistance with FWS on Harbor dredging in January 2010. Consultation with both FWS and NOAA Fisheries has yet to be completed by FEMA. The Biological Assessment (BA) for this action is dated April 2007.

This BA is available in our Eureka Office of the Army Corps of Engineers.

Magnuson-Stevens Fisheries Conservation and Management Act: Essential Fish Habitat - The Magnuson-Stevens Fishery Conservation and Management Act requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions permitted by the agency that may adversely affect Essential Fish Habitat (EFH). Inner boat basin rehabilitation activities in the project area may adversely affect EFH due to the potential for increased sedimentation and possible decrease in available foraging and migration habitat. Additionally, noise disturbance could affect species. FEMA is required to initiate consultation with NMFS for potential adverse impacts to EFH.

Clean Water Act of 1972 (CWA):

Water Quality: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued.

Those parties concerned with any water quality issue that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, North Coast Region, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403, by the close of the comment period of this Public Notice.

b. Alternatives: Evaluation of this proposed activity's impact includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. Section 1344(b)). An evaluation has been made by this office under the guidelines and it was determined that the proposed project is water dependent.

Coastal Zone Management Act of 1972 (CZMA): Section 307 of the Coastal Zone Management Act requires the applicant to certify that the proposed project is consistent with the State's Coastal Zone

Management Program, if applicable. The proposed project is within the Coastal Zone.

National Historic Preservation Act of 1966 (NHPA): If unrecorded resources are discovered during construction of the project, operations will be suspended until the Corps completes consultation with the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) in accordance with Section 106 of the National Historic Preservation Act.

4. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

5. CONSIDERATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment

and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity

6. SUBMISSION OF COMMENTS: Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the Eureka Field Office, 601 Startare Drive Eureka, California, 95501. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting Carol Heidsiek of our office at telephone 707-443-0855, writing to the Eureka Field Office or E-mail: carol.a.heidsiek@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.