

ENVIRONMENTAL ISSUES ASSOCIATED WITH MAINTENANCE DREDGING IN LOWER NEWPORT BAY

Subtitle The times they are a'changing

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For 2022 Pacific Chapter Meeting

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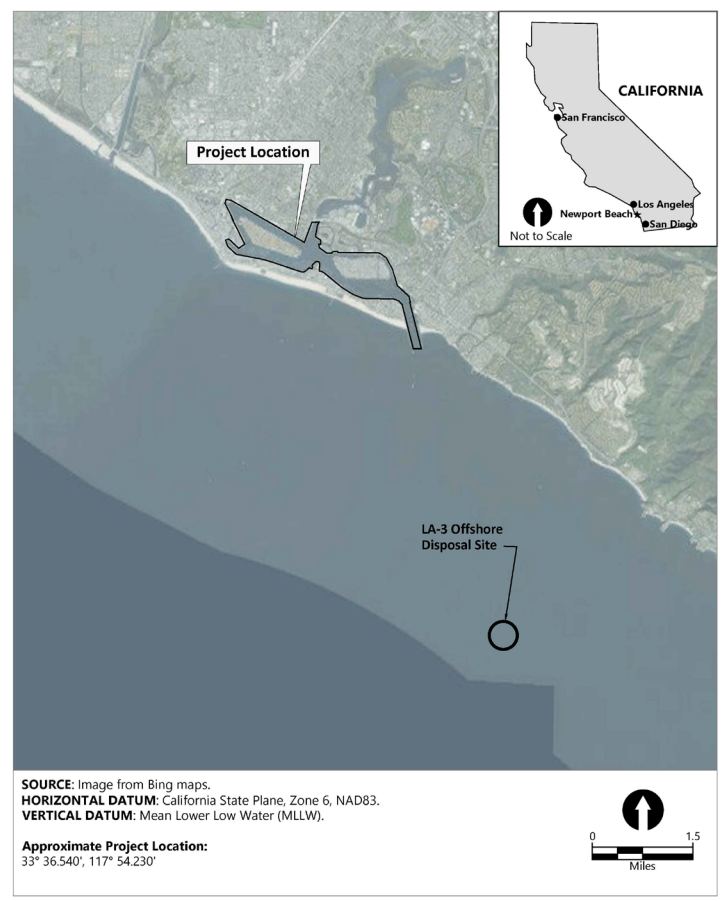


PRESENTATION OVERVIEW

- 2018 Sediment Test Program
- 2021 Maintenance Dredging
- 2023 Maintenance Dredging
- ESA
- EFH
- Cultural Resources
- Internal Reviews
- Contracting Policy Changes



LOWER NEWPORT BAY



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Figure 1
Vicinity Map
 Lower Newport Bay Federal Channels Dredging



LOWER NEWPORT BAY FEDERAL CHANNELS



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Figure 2
 Federal Channels and Authorized Design Depths
 Lower Newport Bay Federal Channels Dredging

File Name



2021 MAINTENANCE DREDGING

Entrance Channel: 53,557 cy of sediment dredged with nearshore placement.

Main Channel Balboa Reach: 56,898 cy of sediment dredge with ocean disposal at LA-3.



UPCOMING DREDGING CYCLE



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 Filepath: K:\Projects\0243-City of Newport Beach\Federal Channel\0243-RP-036-2021-DREDGE SUITABILITY.dwg Figure 2

Figure 2
 Federal Channels Maintenance Dredging Sediment Suitability Map

ENDANGERED SPECIES ACT (ESA)

California least tern: prior dredging window of September 15-April 15. Window closed by study published in 2016.

Green sea turtle: known population centers in San Diego Bay and Alamitos/Anaheim Bay. Prior no effect determinations based on absence from Lower Newport Bay. Recent evidence of transits between the two population centers. Low likelihood of occurrence retains no effect determination, but now includes monitors for sea turtles on dredges and barges.

Western snowy plover: occasional populations on beaches requiring monitoring and avoidance.



ESSENTIAL FISH HABITAT (EFH)

Mandatory consultation process with National Marine Fisheries Service mandated by Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1855(b) and implementing regulations at 50 CFR 600.905-930. Covers eelgrass impacts and mitigation, Caulerpa issues, and marine mammal (non-ESA species) issues.



ESSENTIAL FISH HABITAT (EFH)

California Eelgrass Mitigation Policy (CEMP):

All mapping efforts should be completed during the active growth period for eelgrass (typically March through October for southern California, April through October for central California, April through October for San Francisco Bay, and May through September for northern California) and should be considered valid for a period of 60 days to ensure significant changes in eelgrass distribution and density do not occur between survey date and the project start date.

Caulerpa Control Protocol (Infected System):

Prior to initiation of any authorized Bottom Disturbing Activity within an Infected System, two surveys, initiated not less than 60 days apart and within 45 days of initiation of an authorized Bottom Disturbing Activity, shall be conducted within the project APE. Both surveys shall be conducted within the same High Growth Period (March 1 to October 31). If the Bottom Disturbing Activity extends for over 90 calendar days, the portions of the APE that would be expected to be impacted by a Bottom Disturbing Activity within the subsequent 90 days must be resurveyed.



CULTURAL RESOURCES

Previous maintenance dredging efforts applied a determination of “no potential to cause effects” in accordance with Section of the Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108 and its implementing regulations at 36 CFR Part 800 (36 CFR 800.3(a)(1)).

Recent changes at SPL mandate some form of SHPO consultation at least once for each harbor, replacing the prior no potential to cause effects determinations with no effect determinations and requiring extensive tribal consultations (Water Boards are repeating tribal consultation during CWA Section 401 Water Quality Certification).



INTERNAL REVIEWS

District Quality Control (DQC)
Office of Counsel



CONTRACTING POLICY CHANGES

Prior Policy

IDIQ Contract

Environmental Monitoring

No change for Water Quality Monitoring

ESA/EFH monitoring separate under IDIQ



QUESTIONS



File Name



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