



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200300478

Date: October 28, 2003

Comments Due: November 20, 2003

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 10 of the Rivers and Harbors Act to dredge an area in front of the Port of Stockton's East Complex Docks 6 and 9 and West Complex Docks 14-20 in the San Joaquin River, as shown in the attached drawing.

APPLICANT: Port of Stockton, Gordon Palmer, 2201 W. Washington Street, Stockton, California 95203

LOCATION: The proposed project is located at Township 1 North, Range 6 East, Stockton, San Joaquin County, California.

PROJECT DESCRIPTION: The project purpose is maintenance dredging to historically maintained depths, of the Port of Stockton's East and West Complexes. The dredged area would be 12,000 feet long and 125 feet wide and extend from the face of the docks outward to the intersection of the Deep Water Ship Channel.

The applicant would use a hydraulic dredge to complete the process. The dredge uses a spinning cutter head to dislodge the material and an 18 inch diameter suction tube pumps the slurry mix. The slurry mix would consist of 85-90% water and 10-15% solids. The slurry mix would be transported by pipeline to either 99 acres or Roberts Island. The pipeline would extend approximately 10,000 to 12,000 feet. The applicant's preferred pipeline route is along the west bank of the Deep Water Ship Channel. The pipeline would be supported by buoys and placed outside the navigation channel and would float and extend 2 inches above the water surface when filled with water and air, and rest on the bottom of the River during the dredging operation. It would then traverse and cross the top of the levee at Roberts Island, where a road crossing would be constructed.

The applicant has stated that both 99 acres and Roberts Island sites have sufficient capacity to retain all dredged solids (600,000 cubic yards) and all of the water and both 99 acres and Roberts Island are approved disposal management areas. The sites have been used as dredged material disposal sites for at least 20 years.

The maintenance dredging would occur between June 1 and December 30, over a period of ten years. In 2003, dredging would only occur in front of docks 6 and 9 of the East Complex. It is estimated that approximately 75,000 cubic yards of material would be dredged every two years for a total of 300,000 cubic yards from in front of the West Complex and 300,000 cubic yards from in front of the East Complex over the next 10 years.

AREA DESCRIPTION: The property consists of warehouses, sheds, mile long dock frontage, and 500 acres of open space. The East complex area consists of 680 acres bounded to the north by the Stockton Deep Water Ship Channel and turning basin, to the west by the San Joaquin River, to the south and east by the Port of Stockton Beltline and Atchison, Topeka, and Santa Fe Railroads. The West complex area consists of 1,459 acres surrounded by Burns Cut Off to the south, east, and west. The Stockton Deep Water Ship Channel surrounds the Northern section of the

property, where all the dredging would take place. The ship channel edges have very little aquatic vegetation because the areas rip-rapped or covered by docks and piers.

ADDITIONAL INFORMATION: The Port of Stockton has dredged and maintained the docks in the East Complex for the last 70 years to a depth of 35 feet below mean low low water (MLLW). The West Complex was previously dredged and maintained to a depth of 35 feet below the MLLW in front of docks 18, 19, and 20 and 30 feet below MLLW in front of the other dock areas. The Port of Stockton has submitted separate applications to deepen and dredge these same areas (see Corps Public Notices 200300038 and 200300314).

The following endangered species may be present in the permit area: delta smelt (*Hypomesus transpacificus*), Central Valley steelhead (*Oncorhynchus mykiss*), winter-run chinook salmon (*Oncorhynchus tshawytscha*), and Central Valley spring-run chinook salmon (*Oncorhynchus tshawytscha*). The Corps of Engineers will consult with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service pursuant to the Endangered Species Act (ESA) and essential fish habitat for Pacific Salmon pursuant to Section 305 (b)(2) of the Magnuson-Stevens Act.

No further cultural resources review is warranted because the permit area has been extensively modified by previous work.

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **November 20, 2003**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act. Any person may request, in writing, within the comment period specified in this 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.

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

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 of Engineers to determine whether to issue, modify, 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 of the proposed activity.

If additional information is required, please contact the applicant, telephone 209-946-0246, their agent, April Zohn with Jones and Stokes, telephone 503-248-9507, or Marc Fugler, at the letterhead address, telephone 916-557-5255.

Mark W. Connelly
Lieutenant Colonel,
Corps of Engineers
Acting District Engineer

Enclosures: one drawing