



US Army Corps
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San Francisco District

SAN FRANCISCO DISTRICT

Regulatory Division
450 Golden Gate Ave., 4th Floor
San Francisco, CA 94102-3406

PUBLIC NOTICE

AMENDMENT TO RESTRICTED AREA: Military Ocean Terminal, Concord

PUBLIC NOTICE NUMBER: SPN-2018-00508S
PUBLIC NOTICE DATE: January 11, 2023
COMMENTS DUE DATE: February 11, 2023

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The U.S. Army Military Surface Deployment and Distribution Command (SDDC), 834th Transportation Battalion (POC: Mr. J. Stephen Volk, MOTCO Environmental Division Chief, (925) 246-4182, john.s.volk.civ@army.mil), has requested that the U.S. Army Corps of Engineers (USACE), San Francisco District, revise the restricted area boundaries of the Military Ocean Terminal Concord (MOTCO). The MOTCO restricted area is located along the south shore of Suisun Bay, north of the City of Concord, Contra Costa County, California. The request to revise the boundaries of the MOTCO restricted area is due to insufficient security buffer distance between the current boundaries and critical MOTCO shoreline infrastructure.

In response to this request by the SDDC and pursuant to its authorities in Section 7 of the Rivers and Harbors Act of 1917 (40 Stat 266; 33 U.S.C. 1) and Chapter XIX of the Army Appropriations Act of 1919 (40 Stat 892; 33 U.S.C. 3), USACE is proposing to amend the restricted area regulations in 33 CFR Part 334.1110 by revising the restricted area boundaries as illustrated in the attached map and described below. Additional changes would be made to clarify the description of the restricted area boundary. Concurrent with this public notice, a notice of proposed rulemaking is being published in the Federal Register. Please visit www.regulations.gov and search under docket number COE-2022-0012.

The relevant section of the current regulations at 33 CFR Part 334.1110(a) reads as follows:

(a) *The area.* Beginning at a point on the shore and on the easterly side of the mouth of a small slough (known as Hastings Slough) bearing 189°, 2,412 yards from Tripon at Preston Point on Roe Island; thence 340°30', 400 yards, to the shore line of the westerly of the two Seal Islands; thence 60°30', 940 yards; thence 75°, 1,650 yards; thence 102°, 1,850 yards; thence 99°, 1,880 yards; thence 180°, 435 yards, to the shore line; thence following the high water shore line in a general westerly direction to the point of beginning.

The revised section of the regulations would read as follows:

(a) *The area.* Beginning at point A on the shore west of the mouth of a small slough (known as Hastings Slough) and passing east of buoy R “6” bearing 60°30' for 2,860 yards, through Point B on the eastern end of the two Seal Islands, to point C on the southern edge of the Roe Island Channel near buoy R “16A”; thence in a generally easterly direction running along the southern edge of the Roe Island Channel, Port Chicago Reach and Middle Ground West Reach (points D and E) to point F directly north of the eastern shore boundary (point G); thence 180° to point G on the shore line; thence following the high water shore line in a general westerly direction to the point of beginning.

	Latitude	Longitude
Point A (shoreline)	38.0513	-122.0576
Point B	38.0579	-122.043
Point C	38.063	-122.0307

Point D	38.0612	-122.0204
Point E	38.0594	-122.001
Point F	38.0594	-121.9882
Point G (shoreline)	38.0521	-121.9882

The datum for these coordinates is NAD-83

As illustrated in the attached figure, the existing boundary at the western terminus would be shifted approximately 700 yards west along the shoreline to Point A, so that it encompasses the mouth of Hastings Slough and eliminates a potential route of unauthorized encroachment into the MOTCO installment. Along the central and eastern parts of the restricted area, the existing boundary would be shifted bayward to the existing ship channel, in order to provide an adequate security buffer around MOTCO's piers. The revised eastern boundary would follow the southern edge of the ship channel, and would therefore not impact vessel traffic in the ship channel. The eastern shoreline terminus (Point G) would remain at its current location.

The Corps expects that the boundary change will not have a significant impact to the quality of the human environment and, therefore, the preparation of an environmental impact statement would not be required. An environmental assessment will be prepared after the public notice period is closed and all comments have been received and considered. If no adverse comments are received, the environmental assessment will be prepared before the effective date of the rule. The final NEPA analysis and supporting documentation will be on file with the San Francisco District, Regulatory Division.

USACE is soliciting comments from the public; Federal, State, and local agencies and officials; Native American Nations or other tribal governments; and other interested parties in order to consider and evaluate the impacts of the proposed boundary change. All comments received by USACE will be considered in the decision on whether to finalize the proposed boundary change. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the project.

During the specified comment period, interested parties may submit written comments via email to Gregory Brown, gregory.g.brown@usace.army.mil; comment letters should cite the project name, applicant name, and public notice number to facilitate review by the Regulatory Permit Manager. Comments may include a request for a public hearing on the project prior to a final determination by USACE; such requests shall state, with particularity, the reasons for holding a public hearing. All substantive comments will be forwarded to the applicant for resolution or rebuttal. Additional project information or details on any subsequent project modifications of a minor nature may be obtained from the applicant or by contacting the Regulatory Permit Manager by telephone or e-mail shown in the public notice letterhead. An electronic version of this public notice may be viewed under the *Public Notices* link on the USACE website: <http://www.spn.usace.army.mil/Missions/Regulatory>.