

Congress of the United States

Washington, DC 20515

March 20, 2024

The Honorable Michael Connor
Assistant Secretary of the Army for Civil
Works
U.S. Army Corps of Engineers
108 Army Pentagon
Washington, D.C. 20310

Lieutenant General Scott A. Spellmon
Chief of Engineers and Commanding
General
U.S. Army Corps of Engineers
441 G Street NW
Washington, D.C. 20314

Dear Assistant Secretary Connor and Lt. General Spellmon:

Thank you for your continued attention to the U.S. Army Corps of Engineers' (Corps) San Clemente Shoreline Project. We appreciate Lt. Gen. Spellmon committing that this project gets to 100% completion with the same quantity of beach-quality sand delivered as authorized by Congress.

As you know, this project has encountered major obstacles involving the sourcing of appropriate beach-quality sand from the originally identified offshore borrow site. The Corps has been working diligently to achieve approval for the use of an alternative borrow site at Surfside-Sunset, which has been used for other Corps' beach sand replenishment projects and is a proven source. We appreciate Col. Andrew Baker at the Los Angeles District, Col. James Handura at the South Pacific Division, and their teams' commitment and collaborative work with the City of San Clemente to achieve an effective solution.

We write to express our insistence that the corrections being made to the project do not incur additional financial exposure to the non-federal sponsor, the City of San Clemente. While we understand the non-federal sponsor's cost share is 35%, the City should not be liable for the additional costs stemming from the unsuccessful attempts to utilize the original borrow site.

The Corps was responsible for identifying a suitable borrow site, and the City entered into an agreement to fulfill its part of this project with the understanding that the costs they were to bear were based on that original borrow site. It has been estimated that the City may now be required to provide \$2,692,308 in additional funding to complete this project. The City had previously arranged to provide its share of financing in the total amount of \$5,010,923 by procuring assistance from the State of California and using long-planned local funding for this project. Such a substantial increase in the City's fiscal obligation is objectionable.

We ask the Corps to consider the extraordinary nature of this situation as well as the problems associated with the Corps' analysis of the original borrow site. We urge you to work to find ways to mitigate the City's exposure to these cost increases.


Again, we appreciate the Corps' diligence in working to get this project to 100% completion and your consideration of the unique circumstances that merit special exception for this additional

financial burden on the City of San Clemente. We would welcome a meeting to discuss this matter further.

Sincerely,



Mike Levin
United States
Representative



Alex Padilla
United States Senator



Laphonza Butler
United States Senator

CC: Col. Andrew Baker, Commander, Los Angeles District, US Army Corps of Engineers
Col. James Handura, Commander, South Pacific Division, US Army Corps of Engineers
Edward E. Belk, Jr., Director of Civil Works, U.S. Army Corps of Engineers