

Attachment B to Agenda Sheet No. 2017-0577**SEP 01 2006**

Office of the District Clerk

(5)**COASTAL DEVELOPMENT PERMIT**

Applicant: Thomas A. Driscoll, President, Driscoll, Inc.
2500 Shelter Island Drive
San Diego, CA 92106

Project: Kettenburg Boatyard

Location: Shelter Island Drive to Dickens Street; San Diego, California

You are hereby granted a Coastal Development Permit. This permit is issued in conformance with the California Coastal Act of 1976 and the Coastal Permit Regulations of the San Diego Unified Port District, as adopted by the Board of Port Commissioners on July 1, 1980, Resolution No. 80-193, and as amended on December 2, 1980, Resolution No. 80-343, and on February 14, 1984, Resolution No. 84-62, in accordance with the provisions for the issuance of a Emergency Non-appealable Appealable Coastal Development Permit.

Date of Board Action: August 8, 2006

Board of Port Commissioners Resolution Number: 2006-130

Date of Permit: August 18, 2006

Application Number: 2006 015-14-54

Permit Number: CDP-2006-05

The proposed project is located between the sea (as defined in the Coastal Act) and the first inland continuous public road paralleling the sea. The project is fully consistent with Public Resources Code Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein. This permit is limited to the development described below and set forth in material on file with the San Diego Unified Port District (District), and subject to the terms, conditions, and provisions hereinafter stated:

DEVELOPMENT

The proposed redevelopment of the existing boatyard consists of the demolition of the existing margin wharf, floating docks, shoreline embankment, pavement areas and building structures, all in a deteriorated state, unsightly and inefficient. The proposed

construction includes a two-story boatyard administration building, roughly 4500-square-foot in size; a high bay metal boat shed of approximately 6,500 square-feet, two 65-foot-long by three foot wide cast-in-place concrete finger piers supported by sixteen pre-cast concrete friction piles for use by a new 35-ton travel lift, roughly 41,000 square feet of concrete paving, and up to 52 boat slips.

The redevelopment plans also include waterside improvements including the reconstruction of approximately 368 linear feet of shoreline with new granite stone revetment; dredging to create the new shoreline condition and minimum depths required for boatyard use; installation of a water reclamation system including on-site detention and treatment in conformance with Regional Water Quality Control Board standards; construction of approximately 6,100 square feet of marine sales and services buildings, a food service building of approximately 1,263 square feet, a 680-linear-foot long shoreline pedestrian walkway with a ten-foot minimum width, an approximately 28,973-square-foot public plaza including landscape planting and circular hard-scape gathering area, a new dinghy dock for water taxis and transient moorings, and a minimum of 51 parking spaces.

STANDARD PROVISIONS

1. Permittee shall adhere strictly to the current plans for the project as approved by the District.
2. Permittee shall notify the District of any changes in the project.
3. Permittee shall meet all the local code requirements and ordinances and obtain all necessary permits from local, state and federal agencies.
4. Permittee shall conform to the permit rules and regulations of the District.
5. Permittee shall be responsible for compliance with ADA and Title 24 specifications.
6. Permittee shall commence development within two (2) years following the date of the permit issuance by the District. Construction shall be pursued in a diligent manner and completed within a reasonable period of time.
7. The permit is in no way intended to affect the rights and obligations heretofore existing under private agreements nor to affect the existing regulations of other public bodies.
8. This permit shall not be valid unless two copies have been returned to the Land Use Planning Department of the District, upon which copies the permittee has signed a statement agreeing that the permittee will abide by the terms, conditions, limitations, and provisions of the permit.

9. All best management practices must be performed during construction and maintenance operations. This includes no pollutants in the discharges to storm drains or to San Diego Bay, to the maximum extent practicable.

SHORT TERM CONSTRUCTION MEASURES

1. To minimize noise during construction, the permittee will require the construction contractor to (a) restrict normal construction activities from 7:00 am to 7:00 pm; (b) keep construction equipment as far as possible from sensitive receptors; and (c) provide acoustical shielding around equipment operating at night, from 10:00 pm to 7:00 am.
2. To minimize fugitive air emissions during construction, the permittee will require the construction contractor to keep fugitive dust down by regular watering.
3. To minimize nuisance effects from lights or glare during construction, the contractor will shield and direct night lighting away from adjacent areas.
4. All trucks hauling loose material during project construction, either on-site or off-site, shall be adequately protected.
5. Suspend all ground-disturbing activities when wind speeds (as instantaneous gusts) exceed 25 mph at a portable weather station on the project site.
6. Access points onto local paved roads shall be kept clean and swept as necessary if visible soil material is carried onto adjacent public paved roads using a water sweeper.
7. Traffic speeds on all unpaved surfaces shall be limited to 15 mph.
8. Permittee shall prevent inactive trucks from idling more than 10 minutes during construction once they arrive on the construction site.
9. All construction equipment shall be maintained in peak condition to reduce operational emissions.
10. Equipment shall use low-sulfur diesel fuel.
11. Electric equipment shall be used to the maximum extent feasible during construction.
12. Construction employees shall be provided with transit and ride share information.
13. Permittee shall ensure that any site contamination is identified and a site restoration plan, acceptable to the appropriate regulatory agencies, is prepared and implemented to reduce any existing contamination to a level that has no potential to

threaten employee or human health as defined under existing regulations. If any potential exists for impacts to employee health from exposure to acidic or caustic soils, workers shall be provided with adequate protective gear.

14. Permittee shall require all employees that are exposed to noise levels in excess of Occupational Safety and Health Administration hearing protection thresholds, during construction or operation, to wear noise protection devices (ear plugs and covers) that are protective of individual hearing.
15. Permittee and/or contractor shall comply with State Water Resources Control Board Order No. 99-08-DWQ, National Pollutant Discharge Elimination System (NPDES), General Permit No. CAS000002, and Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity (commonly known as the "General Construction Storm Water Permit"), as adopted, amended, and/or modified. The District is responsible for submitting the Notice of Intent to comply with the General Construction Storm Water Permit. The Permittee and/or contractor must comply with the General Construction Storm Water Permit and District direction related to permitted activities. Construction activity subject to the General Construction Storm Water Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The Permittee and/or contractor must prepare and submit the SWPPP for review and approval by the District prior to site work.

SPECIAL PROVISIONS


1. Building construction shall comply with the 41 feet above mean lower low water building height limitation in the Shelter Island Precise Plan of the Port Master Plan.
2. Permanent view obstructions shall not be constructed in the view corridor extensions of Carleton and Dickens Streets.
3. Permittee shall construct a continuous promenade through the project site connecting the adjacent Sportfish Landing walkway to Shelter Island Drive. The promenade within the limits of the project site shall be a minimum of ten feet in width in all locations and shall be clearly delineated for public use.
4. Permittee shall provide a landing dock facility and maintain the dock in a safe condition for the use of the A-2 Anchorage.

If you have any questions on this permit, please contact the Land Use Planning Department of the San Diego Unified Port District at (619) 686-6283.

BRUCE B. HOLLINGSWORTH
Executive Director

By: 
RALPH T. HICKS
Director, Land Use Planning

I have read and understand the terms, conditions, limitations, and provisions of this permit and agree to abide by them.


Signature of Permittee
Thomas A. Driscoll, President, Driscoll, Inc.

8/21/06
Date