

**SAN DIEGO UNIFIED PORT DISTRICT
DEVELOPMENT SERVICES DEPARTMENT**

P.O. BOX 120488
SAN DIEGO, CA 92112-0488
(619) 686-6419

COASTAL DEVELOPMENT PERMIT

Applicant: HIW Associates, LP
2040 Harbor Island Drive
San Diego, CA 92101

Project: Harbor Island West Marina Redevelopment Project

Location: 2040 Harbor Island Drive, San Diego, CA 92101

You are hereby granted a Coastal Development Permit. This permit is issued in conformance with the California Coastal Act of 1976 (Coastal Act) 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: DATE, 2023

Board of Port Commissioners Resolution Number: 2023-XXX

Date of Permit: DATE2, 2023

Application Number: 2013-80

Permit Number: CDP-2023-XX

The Project, as defined below, is located within the jurisdiction of the San Diego Unified Port District (District) and is in the California coastal zone. The project constitutes development pursuant to Coastal Act Section 30106 as it would result in construction, reconstruction, demolition or alteration of any structure, including any facility of any private, public, or municipal utility. The project is an appealable development pursuant to Section 30715 of the Coastal Act as it constitutes a category of development for recreational small craft marina related facilities. The Project, as conditioned, is fully consistent with Chapters 3 and 8 of the Coastal Act and the District's certified Port Master Plan.

This permit is limited to the development described below and set forth in material on file with the District, and subject to the terms, conditions, and provisions hereinafter stated:

DEVELOPMENT

The Project applicant, HIW Associates, LP (referred to herein as “Permittee”), proposes to redevelop an existing marina by replacing an existing aged dock structure and existing landside buildings (collectively, “Project”) at 2040 Harbor Island Drive in San Diego (see Exhibits 1 and 2).

The Project includes the following components/features:

Landside Improvements

- Remove three marina buildings and a western restroom that total 23,000 square feet and construct two marina buildings and a western restroom that amount to approximately 15,682 square feet. New marina buildings have a maximum elevation of 45 feet above grade and are linked by a common linear roof plan to create courtyard areas between the buildings.
- Remove existing landscaping and install new non-invasive, drought-tolerant landscaping, increasing the overall landscaped, pervious area from 15,000 square feet to 18,000 square feet.
- Demolish and repave existing asphalt parking lot, resulting in a decrease from 120,000 square feet to 116,000 square feet of pavement area and an increase in 29 parking spaces, from 351 to 380. Twelve (12) parking spaces would be available to the public.
- Reconstruct a 1,200-square-foot swimming pool and 75-square-foot jacuzzi. The reconstructed pool remains the same size while the jacuzzi increases from 75 square feet to 100 square feet.
- Renovate/reconstruct existing public viewing deck.
- Install a 12-foot-wide public promenade along the waterfront from the east end to the west end of the Project site.
- Provide for 25 bicycle parking spaces.
- Upgrade utilities to current building standards.
- Install new light-emitting diode (LED) lighting throughout the Project site.
- Incorporate features that conserve water and energy use.

Waterside Improvements

- Demolish 146,000 square feet of existing deteriorated docks (providing 620 boat slips) and construct 139,218 square feet of new docks (providing 623 boat slips). The docks on site are composed of a main dock/headwalk with 11 dock/headwalk extensions. The replacement docks would result in the reconfiguration of the 11 dock/headwalk extensions to meet current standards and maintain the existing number of slips (an increase by three (3) slips over existing conditions).

- Realign existing slips within the marina to provide for a wider range of vessel sizes as summarized in Table 1 below.

Table 1. Slip Mix Summary

Slip Range	Existing		Proposed	
	Slip Quantity	% of Total Slip Inventory	Slip Quantity	% of Total Slip Inventory
12 – 20 feet	0	0	32	5.14
21 – 25 feet	96	15.5	115	18.45
26 – 30 feet	111	17.9	72	11.55
31 – 35 feet ¹	231	37.3	195	31.30
36 – 40 feet	106	17.1	19	3.05
41 – 45 feet	9	1.5	44	7.06
46 – 50 feet	44	7	68	10.91
Greater than 51 feet	23	3.7	78	12.52
Total	620	100	623	100

¹ One 35-foot slip designated as a free slip for nonprofit use, with priority given to a use that educates or trains school age children in boating.

- Remove 326 square, concrete piles and install 237 round, steel piles with HDPE sleeves to support the new marina dock configuration. All existing abutments would be reused. No dredging is required and there would be no net fill impacts.
- Install 33 dedicated fire standpipes on the new docks along with a dedicated fire protection system.
- Include secure gates controlled by an access system on the landside for the new dock system.

Project Construction

Construction of the proposed Project is expected to begin within 18 months of project approval and take approximately 24 months to complete over two phases. A phased construction schedule is proposed to allow portions of the marina to remain open to the public and businesses, as well as to avoid displacing boaters from the marina during construction. Public access to the waterfront would be available via portions of the promenade and two (of four) access gates that lead to the marina and would be delineated with signage. Phase I of construction (waterside improvements and west portion of Project site landside improvements) would last 12 months. Phase II of construction (east portion of Project site landside improvements) is anticipated to start between September and February after completion of Phase I and would end in the summer of the following year.

Project Operation

Once the proposed Project is operational, existing uses within the leasehold (e.g., recreational boating, sailing academy, yacht brokers, deli/food service, marine services, maritime-related office tenant space, support/mechanical, laundry facilities, restroom/showers, workout room, boater's lounge, marine office/business center, and storage lockers) would continue in a manner similar to existing conditions, with use of marina facilities being driven by boaters in the marina. No new or expanded uses would result nor an increase in the intensity of uses. Given the proposed decrease in the total building square footage and only slight increase (3) in the number of boat slips, both employees and visitors accessing and using the Project site are expected to be similar to the existing condition.

Eelgrass Impacts

The potential for direct construction and indirect operational impacts to eelgrass is estimated to be 4,543 square meters, which requires the successful establishment of 5,452 square meters of eelgrass at a 1.2:1 mitigation ratio to mitigate for the permanent impacts to eelgrass associated with the new dock layout. The California Eelgrass Mitigation Plan recommends a conservative planning approach with a minimum transplant ratio of 1.38:1 to account for the fact that not all planting area will successfully support eelgrass. The recommended eelgrass transplant starting area at the 1.38:1 ratio is 6,269 square meters (Table 2). The onsite area available for mitigation provides 30,410 square meters of eelgrass planting area.

Table 2. Existing eelgrass, eelgrass impacts, and required and proposed mitigation (square meters).

Existing Eelgrass	Impacted Eelgrass	Required Mitigation (1.2:1)	Proposed Mitigation (1.38:1)
15,256	4,543	5,452	6,269

STANDARD PROVISIONS

1. Permittee shall adhere to the plans for the Project as approved by the District and the Project features, described above, for the Project.
2. Permittee shall notify the District of any changes in the Project herein described. Notification shall be in writing and be delivered promptly to the District. The District shall determine whether or not District approval of the Project change is required prior to implementation of any changes, and if the Project change will require an amendment to this Permit.

3. Any questions of intent or interpretation of any condition shall be resolved by the District Executive Director or the Board of Port Commissioners.
4. Permittee and the Project shall meet all applicable codes, statutes, ordinances and regulations, and Permittee shall obtain all necessary permits from local, regional, state, and federal agencies.
5. Permittee shall conform to, and this permit is subject to, the permit rules and regulations of the District, including, but not limited to, the District's Coastal Development Permit Regulations.
6. Permittee shall be responsible for compliance with Americans with Disabilities Act and Building Energy Efficiency Standards - Title 24 specifications.
7. Permittee shall commence development in accordance with lease option requirements, within 18 months, 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.
8. 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.
9. This permit shall not be valid unless two copies have been returned to the Development Services 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.
10. The Permittee and contractor shall implement all best management practices (BMPs) during construction and maintenance operations. No non-stormwater (irrigation, wash water, etc.) may discharge to the District's storm drains. Storm water discharges to storm drains or to Pacific Ocean are allowable, if they do not contain pollutants.
11. All District tidelands are regulated under Regional Water Quality Control Board Order No. R9-2013-0001, as amended by Order Nos. R9-2015-001 and R9-2015-0100, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS0109226, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds Within the San Diego Region (Municipal Permit). The Municipal Permit prohibits any activities that could degrade stormwater quality.

The Permittee shall ensure that post-construction / operational use of this Project site complies with the Municipal Permit and District direction related to permitted activities including the requirements found in the District's Jurisdictional Runoff Management Program (JRMP). The JRMP is available on the District website: <https://pantheonstorage.blob.core.windows.net/environment/JRMP-document-and->

[appendices-January-2019.pdf](#) or by contacting the Stormwater Department, (619) 686-6254.

12. This Project may be subject to the District post-construction BMP requirements. If so, approval of the Project by the District is necessarily conditioned upon submission by the Permittee of a specific Stormwater Quality Management Plan (SWQMP) for the Project that meets District requirements and is compliant with the District BMP Design Manual (JRMP Appendix D). If required, the Permittee shall implement all post-construction structural and non-structural BMPs in perpetuity.

The implementation and maintenance of the post-construction BMPs constitute regulatory obligations for the Permittee, and failure to comply with the Municipal Permit, the JRMP, or the District approved SWQMP, including the specific BMPs contained therein, may be considered a violation of the permit and a violation of District Code.

13. In the discretion of the District, prior to commencement of construction, Permittee may be required to require that their contractor(s) furnish security, naming the District as a dual obligee, in the form of a performance bond and a payment bond, each in an amount deemed appropriate by the District to guarantee payment of the subcontractors, completion of the approved work under this permit, and compliance with the conditions and limitations upon which such permit is granted. Prior to commencement of construction, Permittee may also be required by the District to furnish security in the form of a payment bond in an amount deemed appropriate by the District to guarantee payment to the contractor(s) for work performed under this permit.
14. By accepting this permit, Permittee acknowledges and agrees (a) that the Project site may be subject to environmental conditions and hazards; (b) to assume the risks to the Permittee of injury and damage from such conditions in connection with the implementation or operations of the Project; (c) to unconditionally waive any claim of damage or liability against the District, its Board of Port Commissioners, officers, agents and employees ("District" for purposes of this condition) for injury or damage from such conditions to persons performing the development for which this permit is issued or operating on the Project site under this permit; (d) to defend, indemnify and hold harmless, and require that Permittee's contractor(s) engaged to perform the development on the Project defend, indemnify and hold harmless, the District from any claim, demand, liability, loss, action, administrative agency appeal, damage, cost, expense (including all attorneys' fees and consultant/expert fees), award, fine, penalty or judgment (collectively, Claims) arising out of, resulting from, or in any way related to the performance of the development by Permittee's contractor(s) for which this permit is issued, with the exception of any claim, action, damages, liability or costs arising or resulting from the project caused by the gross negligence or willful misconduct of the District; (e) to defend, indemnify and hold harmless the District from any Claims arising out of, resulting from, or in any way related to Permittees operation of the Project site with the exception of any claim, action, damages, liability

or costs arising or resulting from the project caused by the gross negligence or willful misconduct of the District; (f) to defend, indemnify and hold harmless the District from any Claims arising out of, resulting from, or in any way related to the District's approval of the Project, the granting of this permit, and the District's adoption of the Final Negative Declaration; and (g) that Permittee will require Permittee's contractors to name the District as an additional insured on all policies of insurance, now in existence or to be obtained by them, for the work conducted pursuant to this permit.

14. Permittee acknowledges and agrees that: (a) it is the sole and exclusive responsibility of Permittee, and not the District, to ensure that all persons and/or entities who provide any labor, services and/or equipment in connection with the project, shall comply with the requirements of California's prevailing wage laws (the "PWL"), to the extent such laws are applicable; and (b) it is the sole and exclusive responsibility of Permittee, and not the District, to determine whether the Project is subject to the PWL by obtaining a determination by means that do not involve the District. If the Project is determined to be subject to the PWL, Permittee shall comply with all applicable provisions of the PWL, and shall take reasonable steps to ensure that all persons and/or entities who provide any labor, services, equipment and/or materials in connection with the Project shall likewise comply with all applicable provisions of the PWL.

Permittee further acknowledges and agrees that Permittee's failure to comply with all applicable provisions of the PWL, and/or their failure to take reasonable steps to ensure that all persons and/or entities who provide any labor, services, equipment and/or materials in connection with the Project comply with all applicable provisions of the PWL, shall render Permittee, and not the District, liable for all remedies (inclusive of all applicable fines and penalties), afforded by law as a consequence of such non-compliance. Permittee expressly agrees to defend, indemnify and hold harmless the District, from any claim, demand, liability, loss, action, damage, cost, expense (including all attorneys' fees and consultant/expert fees), award, fine, penalty or judgment arising out of, resulting from, or in any way related to the PWL (collectively "PWL Claim") made against or incurred by the District in any capacity (including, without limitation, as a real party in interest), except for any PWL Claim arising out of the sole negligence or willful misconduct of the District.

15. The conditions of this permit are independent of, and in addition to, the obligations of the Permittee under any existing lease(s), Tidelands Use and Occupancy Permit(s), or other contractual agreement(s) with the District, and are binding upon Permittee and its agents, representatives, successors and permitted assigns.

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) not operate any equipment at night.

2. To minimize nuisance effects from lights or glare during construction, the Permittee will require the construction contractor to shield and direct night lighting away from waters of San Diego Bay.
3. All construction equipment shall be maintained in peak condition to reduce operational emissions.
4. Diesel equipment shall use low-sulfur diesel fuel.
5. Electric equipment shall be used to the maximum extent feasible during construction.
6. The Permittee shall require the construction contractor to provide construction employees with transit and ride share information.
7. The 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 hazardous materials, workers shall be provided with adequate protective gear.
8. The 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.
9. Permittee and/or contractor shall comply with State Water Resources Control Board Order No. 2009-0009-DWQ (NPDES General Permit No. CAS000002), and Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity (commonly known as the "Construction General Permit"), as adopted, amended, and/or modified. Construction activity subject to the Construction General Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The Permittee and/or contractor are responsible for submitting to the District a SWPPP that is compliant with the Construction General Permit and District required minimum BMPs. The District requires the use of District SWPPP templates. Once approved, the SWPPP document shall be maintained on the construction site at all times and made available for review by the District or other regulatory agencies.

The Permittee and/or contractor is responsible for ensuring that the SWPPP document is maintained on the site, implemented, and amended as required throughout construction. No discharges of any material or waste, including potable water, wash water, dust, soil, trash, and debris, may contaminate stormwater or enter the

stormwater conveyance system. Any such material that inadvertently contaminates stormwater or enters the stormwater conveyance system as part of site operations shall be removed immediately. All unauthorized discharges to the stormwater conveyance system or the Bay or the ocean shall be reported immediately to the District Stormwater Department, in order to address any regulatory permit requirements regarding spill notifications.

A project's total disturbed soil area (DSA) shall not exceed 5 acres during the rainy season (October 1 - April 30) and 17 acres during the non-rainy season (May 1 - September 30). The District may temporarily increase these limits if the individual site is in compliance with applicable stormwater regulations and the site has adequate control practices implemented to prevent stormwater pollution.

SPECIAL PROVISIONS

1. Permittee shall comply with all Mitigation Monitoring and Reporting Program requirements (attached as Attachment A), as described in the "Harbor Island West Marina Redevelopment Project" Final Mitigated Negative Declaration (UPD #MND-2013-80; SCH #2019129019 Clerk Document No. XXXXX), dated DATE, and adopted by Resolution No. 2023-xxx on DATE2, 2023.
2. Permittee shall ensure all lighting installed outside (parking lot, deck, dock and landscape area) is LED and has a correlated color temperature of 3,000 Kelvin or less. Additionally, large parking lot pole fixtures shall have a motion sensor and shall be at 50% when there is no-one present, be full cutoff, and shielded to minimize light spill. Permittee shall ensure final marina building design plans submitted to the District for review approval includes a Lighting Plan reflecting these lighting requirements.
3. Permittee shall submit a Landscape Plan for District review and approval concurrent with working drawing submittal. Landscaping installed shall be both non-invasive and drought tolerant.
4. Permittee shall ensure that the final marina building design plans submitted to the District for review and approval accommodates occasional future flooding.
5. Permittee shall include twelve (12) public parking spaces available for public use daily between 6am and 11pm.
6. Permittee shall include one electric vehicle charging station onsite within the parking lot.
7. Concurrent with working drawing submittal, Permittee shall submit a Signage Plan for public wayfinding and parking signs in a format acceptable to the District and in conformance with the signage locations shown on Conceptual Site Circulation and Accessibility figure (Exhibit 3). The size of each sign and the associated sign text shall be large enough to be clearly visible and in a standard sign format to be

approved by the District. Wayfinding signage located near viewing deck or other public space areas shall notify the public that outdoor table and chairs are available for public use. Parking signage shall clearly notify the public of public parking and provide access details.

8. Prior to the start of any in-water construction, Permittee shall retain a qualified biologist to develop and implement an eelgrass mitigation plan as required by the California Eelgrass Mitigation Policy. The eelgrass mitigation plan shall be in substantial conformance to the Eelgrass Mitigation Plan prepared by Marine Taxonomic Services, Ltd dated December 7, 2022. Eelgrass mitigation for impacts estimated to be approximately 4,543 square meters shall be provided at a minimum ratio of 1.2:1, for an estimated 5,452 square meters of onsite eelgrass planting within 30,410 square meters of available planting area. The actual amount of eelgrass impact and required mitigation will be determined by pre- and post-construction eelgrass surveys. The eelgrass mitigation plan shall be submitted to the District's Environmental Conservation Department and resource agencies (NOAA Fisheries and California Department of Fish and Wildlife) for review and approval 60 days prior to initiation of waterside project activities. (Also refer to mitigation measure MM-BIO-4 in Attachment A Mitigation and Monitoring Reporting Program.)
9. Invasive Species. No earlier than 90 days nor later than 30 days prior to commencement or re-commencement of any development authorized by this coastal development permit, the permittee shall undertake a survey of the project area and a buffer area at least 33 feet beyond the project area to determine the presence of the invasive alga *Caulerpa* sp. The survey shall include a visual examination of the substrate and conform to the most recent *Caulerpa* Control Protocols approved by the Southern California *Caulerpa* Action Team. If any portion of the project commences in a previously undisturbed area after the last valid *Caulerpa* sp. survey expires, a new survey is required prior to commencement of work in that area. Within fifteen (15) calendar days of completion of the survey, the applicant shall submit the survey: (1) for the review and written approval by the Executive Director; and (2) to the Surveillance Subcommittee of the Southern California *Caulerpa* Action Team.

If *Caulerpa* sp. is found within the project or buffer areas, the applicant may not proceed with the project and should follow all applicable requirements in the *Caulerpa* Control Protocol. The project may not continue until the applicant provides evidence to the Coastal Commission Executive Director that all applicable requirements within the *Caulerpa* Control Protocol have been fulfilled and the project footprint and buffer are no longer in an *Caulerpa* sp. infected area. No revisions to the project shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required for any minor deviations.

10. Permittee shall incorporate the following public access features:
 - a. Provide 12 parking spaces available free to the public daily from 6am to 11pm;

- b. A minimum 12-foot-wide public promenade extending along the waterfront of the Project site that will not be encroached upon by objects such as tables and chairs;
- c. A 6,000 square foot public viewing deck;
- d. Wayfinding signage located at public access points along existing street sidewalk indicating public access points to the marina, as well as intersecting walkways within the HIWM premises; and
- e. One 35-foot slip designated as a free slip for nonprofit use, with priority given to a use that educates or trains school age children in boating.

Exhibits:

- 1. Project Location
- 2. Project Site Plan and Conceptual Renderings
- 3. Conceptual Site Circulation and Accessibility

Attachment:

- A. Mitigation Monitoring and Reporting Program

If you have any questions on this permit, please contact the Development Services Department of the San Diego Unified Port District at (619) 686-6419.

RANDA CONIGLIO
Acting President/Chief Executive Officer

By: _____
WILEEN. C. MANAOIS
Director, Development Services Department

I have read and understand the reasonable terms, conditions, limitations, and provisions of this permit and agree to abide by them. I further understand that the reasonable terms, conditions, limitations, and provisions of the permit are material to its issuance by the District, and that such terms, conditions, limitations, and provisions are included to ensure consistency with applicable laws and regulations, including the Coastal Act. Any failure to abide by the reasonable terms, conditions, limitations, and provisions may result in enforcement by the District and/or the California Coastal Commission, including revocation, as may be warranted.

Signature of Permittee
ERIC LESLIE
Director of Marina Operations, HIW Associates, LP.

Date



Project Location
Harbor Island West Marina Redevelopment Project

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VICINITY MAP N.T.S.



BUILDING & PARKING SUMMARY

BUILDING	1ST FLOOR GROSS SF +/-	2ND FLOOR GROSS SF +/-	TOTAL
RETAIL BUILDING	4,990	4,990	9,980
MARINA BUILDING	2,500	2,500	5,000
WEST BOATER RESTROOM BUILDING	702		702
TOTAL	8,192	7,490	15,682

PARKING	PARKING SIZES	STANDARD	COMPACT	TOTAL
CITY STANDARD PROVIDED	9'x18'	8'-3" x 18'	7'-6" x 15'	
		8'-6" x 18'	8'-6" x 16'	
TOTAL	186	88	106	380
	48.9%	23.2%	27.9%	100.0%

KEYS NOTES:

- (1) LANDSCAPE ISLAND
- (2) MONUMENT SIGN
- (3) EXISTING EDGE OF PAVEMENT
- (4) EXISTING EDGE OF STRUCTURE & PLATFORM
- (5) EXISTING LOADING AREA
- (6) EXISTING UNDERGROUND TUNNEL
- (7) EXISTING BOATER RESTROOM TO BE REMODELED
- (8) PROMENADE
- (9) MARINA TERRACE W/ NEW WOOD DECKING
- (10) OPEN COURT
- (11) SEATING & POTTED PLANTER
- (12) BICYCLE PARKING
- (13) ENHANCED PARKING
- (14) BOATER LOADING ZONE
- (15) BOATER ACCESS RAMP
- (16) SLOPED AREA
- (17) LINE OF RIP EDGE
- (18) POOL ENCLOSURE
- (19) CONNECTING WALKWAY
- (20) PLANTER
- (21) EXISTING EMERGENCY UTILITY/GAS SHUT-OFF TO REMAIN
- (22) FENCE/BBQ AREA W/ SHADE STRUCTURE
- (23) NEW BEAT SLIPS, TYPICAL



Figure 1
Site Plan
Harbor Island West Marina Redevelopment Project

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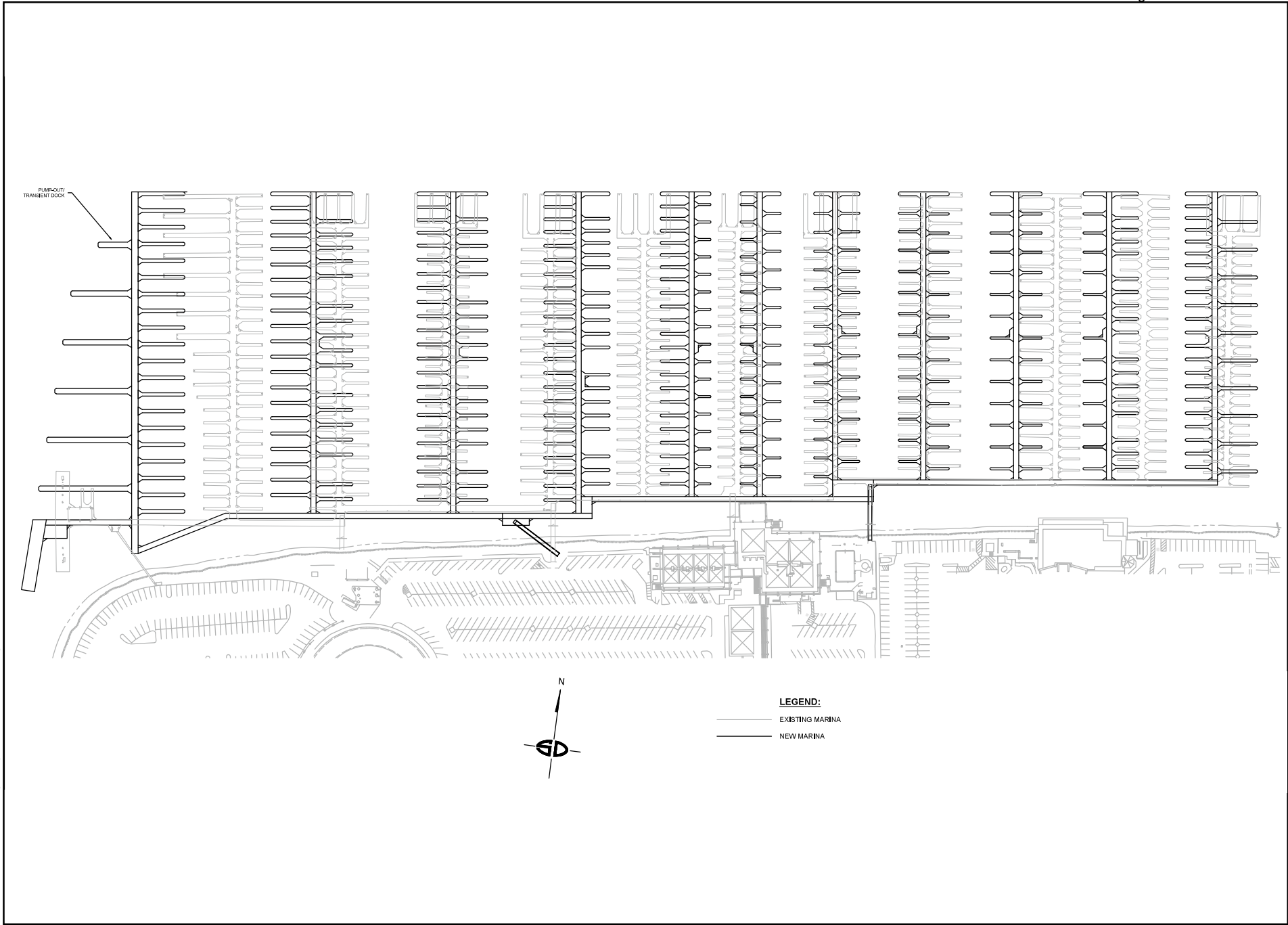


Figure 2
Proposed Slip Configuration
Harbor Island West Marina Redevelopment Project



Figure 3
Conceptual Harbor View
Harbor Island West Marina Redevelopment Project



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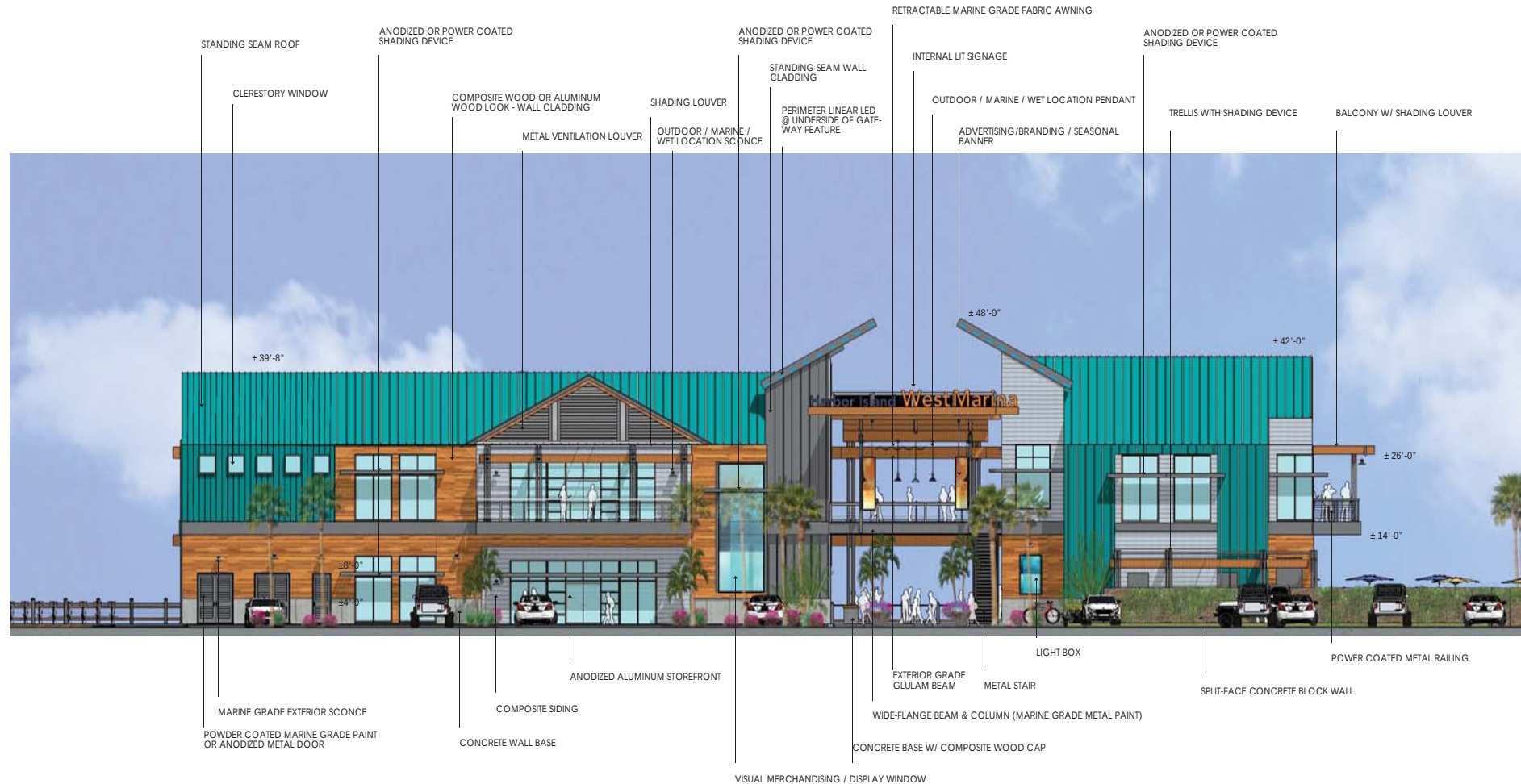


Figure 4
Conceptual Entrance Elevation
Harbor Island West Marina Redevelopment Project



VICINITY MAP ^{N.T.S.} ①

LEGEND

- PROMENADE WALK / ADA ACCESSIBLE
- TRANSITION WALK / ADA ACCESSIBLE
- TRANSITION WALK / ADA ACCESSIBLE
- PUBLIC SIDE WALK
- ADA PARKING - 8 PROVIDED
- ADA PATH OF TRAVEL
- PRELIMINARY ADA ACCESS (Subject To Further Development)
- S Wayfinding Signage
- P Parking Signage

KEYS NOTES:

- ① LANDSCAPE ISLAND
- ② MONUMENT SIGN
- ③ EXISTING EDGE OF PAVEMENT
- ④ EXISTING EDGE OF STRUCTURE & PLATFORM
- ⑤ EXISTING LOADING AREA
- ⑥ EXISTING UNDERGROUND TANKS
- ⑦ EXISTING ROCKER RESTROOM TO BE REMODELED
- ⑧ PROMENADE
- ⑨ MARINA TERRACE W/ NEW MOON SEATING
- ⑩ OPEN COURT
- ⑪ SEATING & POTTED PLANTER
- ⑫ BICYCLE PARKING
- ⑬ SHARED PARKING
- ⑭ ROCKER LOADING ZONE
- ⑮ ROCKER ACCESS RAMP
- ⑯ SLOPED AREA
- ⑰ LINE OF RFP RAP EDGE
- ⑱ POOL ENCLOSURE
- ⑲ CONNECTING WALKWAY
- ⑳ PLANTER
- ㉑ EXISTING EMERGENCY UTILITY/GAS SHUT-OFF TO ROMAN
- ㉒ POOL/BOAT AREA W/ SHADE STRUCTURE
- ㉓ NEW BOAT SLIPS, TYPICAL

Conceptual Site Circulation and Accessibility Harbor Island West Marina Redevelopment Project



Attachment A

Harbor Island West Marina Redevelopment Project Mitigation Monitoring and Reporting Plan

Mitigation Measure(s)	Responsible Party	Mitigation Timing
Biological Resources		
MM-BIO-1: Monitoring Program. Prior to construction activities involving in-water pile driving, the project proponent shall prepare and implement a marine mammal and green sea turtle monitoring program. This monitoring program shall be approved by the District and shall include the following requirements: - For a period of 15 minutes prior to the start of in-water construction, a qualified biologist, retained by the project proponent and approved by the District's Director of Development or designee of the District, shall continuously monitor a 74-meter radius (zone of influence) around the active pile driving areas to ensure that special status species are not present. - The construction contractor shall not start work if any observations of special status species are made prior to starting pile driving. No driving will be conducted until the area has been free of marine mammal sightings for 15 minutes. - The qualified biologist shall continually continuously monitor the zone of influence (ZOI - 74 meters from pile driving activity) during pile driving activities to observe any marine mammals or turtles that approach or enter the ZOI. The qualified biologist shall have authority to stop all work on-site and shall do so if a marine mammal or sea turtle enters the ZOI or could otherwise be impacted by construction noise. The qualified biologist must meet the minimum requirements as defined by the National Oceanic Atmospheric Administration's <i>Guidance for Developing a Marine Mammal Monitoring Plan</i> (NOAA 2017).	Implementation: Project proponent Monitoring and Reporting: Qualified marine biologist, approved by the District, Project proponent Verification: District	Prior to in-water construction
MM-BIO-2: Soft Start Methodology for Impact Hammer Pile Driving. The contractor shall initiate all impact hammer pile driving techniques with a soft start methodology using an initial three sets of three low energy pile strikes. Low energy strikes are performed by running the impact hammer at reduced energy (typically 50-70 percent of full impact force) followed by a 30-second waiting period to initiate impact driving before ramping up to full hammer energy. The soft-start methodology shall be utilized any time pile driving has ceased for a period in excess of 30 minutes, provided compliance with MM-BIO-1 confirms pile driving activities may commence.	Implementation: Project proponent Monitoring and Reporting: Qualified marine biologist, approved by the District, Project proponent Verification: District	During in-water project construction
MM-BIO-3: Avoid Nesting Season for Birds or Conduct Preconstruction Nesting Surveys. To ensure compliance with the MBTA and similar provisions under Sections 3503 and 3503.5 of the California Fish and Game Code, the Project proponent shall conduct all	Implementation: Project proponent	Prior to and during landside vegetation clearing/construction

Mitigation Measure(s)	Responsible Party	Mitigation Timing
vegetation removal (e.g., ornamental trees) during the non-breeding season between September 1 and March 14 or shall implement the following: 1. If landside construction activities are scheduled between March 15 and August 31, the Project proponent shall retain a qualified biologist who shall conduct a focused nesting bird survey within potential nesting habitat prior to the start of vegetation removal. The survey shall be submitted to the District's Environmental Conservation Department prior to the commencement of vegetation removal on the Project site. 2. The nesting bird survey area shall include the entire limits of disturbance plus a 500-foot buffer to ensure indirect impacts would be avoided. The nesting surveys shall be conducted within 1 week prior to initiation of construction activities and shall consist of a thorough inspection of the Project site by a qualified biologist(s). The survey shall occur between sunrise and 12:00 p.m., when birds are most active. If no active nests are detected during these surveys, only a brief letter report documenting the results shall be prepared. 3. If the qualified biologist confirms nesting within 300 feet of the disturbance footprint, a no-disturbance buffer shall be established around each nest site to avoid disturbance or destruction of the nest until after the nesting season or a qualified biologist determines that the nest is no longer active. The size and constraints of the no-disturbance buffer shall be determined by the qualified biologist, but shall not be greater than 300 feet. If there is a delay of more than 7 days between when the nesting bird survey is performed and vegetation removal begins, the qualified biologist shall resurvey to confirm that no new nests have been established.	Monitoring and Reporting: Qualified biologist, approved by the District, Project proponent Verification: District	
MM-BIO-4: Develop and Implement an Eelgrass Mitigation and Monitoring Plan as Required by the California Eelgrass Mitigation Policy. Prior to the start of any in-water construction, the Project proponent shall retain a qualified biologist to develop and implement an eelgrass mitigation plan in compliance with the California Eelgrass Mitigation Policy. The qualifications of the qualified biologist are subject to approval by the District's Environmental Conservation Department. The mitigation plan shall be submitted to the District's Environmental Conservation Department and resource agencies (NMFS and CDFW) for approval 60 days prior to initiation of waterside project activities. The mitigation plan shall be implemented to (1) develop new eelgrass habitat on the areas of the vessel dock areas that will no longer be shaded and (2) compensate for losses to eelgrass in the event that the surveys described below indicate the project has impacts on eelgrass. The specific eelgrass mitigation plan elements shall, at a minimum, include the following: 1. Prior to the commencement of any in-water construction activities, a qualified marine biologist retained by the Project Applicant and approved by the District shall conduct a pre-construction eelgrass survey. Surveys for eelgrass shall be conducted during the active eelgrass growing season (March–October), and results will be valid for 60 days, unless completed in September or October. If completed in September or October, results will be valid until March (the resumption of the next growing season). The qualified marine	Implementation: Project proponent Monitoring and Reporting: Qualified marine biologist, approved by the District, Project proponent Verification: District, NMFS (NOAA Fisheries)	Prior to the start of any in-water construction, during construction, and post-construction

Mitigation Measure(s)	Responsible Party	Mitigation Timing
biologist shall submit the results of the pre-construction survey to the District and resource agencies within 30 days. 2. Identification of areas within and potentially outside of the marina that are considered favorable to restore a minimum of 5,452 square meters (58,685 square feet) of eelgrass habitat. In addition, the mitigation plan shall include: a. Description of harvest and transplantation techniques to satisfy California Department of Fish and Wildlife requirements with regards to ensuring protection of beds used as a source of transplant material. b. A schedule that ensures eelgrass is transplanted as soon as possible following reconfiguration of the eastern portion of the marina where suitable planting sites become un-shaded by dock structures. 3. The Project proponent, through its general contractor shall: a. Provide the pre-construction eelgrass surveys noted above identifying and demarcating the distribution of eelgrass to construction crews to assist tug and barge operations to avoid impacting eelgrass. b. Require all tug and barge operators to locate all anchored and spudded construction barges outside of eelgrass beds when not in use. c. Instruct tugboat operators that propeller wash can damage eelgrass beds and not to direct propeller wash towards eelgrass beds. No anchoring (and other bottom-disturbing activities) shall occur within eelgrass beds. 4. Within 30 days of completion of in-water construction activities, a qualified marine biologist retained by the Project Applicant and approved by the District shall conduct a post construction eelgrass survey during the active eelgrass growing season or within the first 30 days of the next active growth period following construction that occurs outside of active growth period. The post-construction survey shall evaluate potential eelgrass impacts associated with construction. Upon completion of the post-construction survey, the qualified marine biologist shall submit the survey report to the District and resource agencies within 30 days. 5. At least two years of annual post-construction eelgrass surveys shall be conducted during the active eelgrass growing season. The additional annual surveys shall evaluate the potential for operational impacts on eelgrass. 6. In the event that construction impacts on eelgrass are detected in the post-construction survey and/or subsequent surveys, the Project Applicant shall implement the following: a. A qualified marine biologist retained by the Project Applicant and approved by the District shall develop a mitigation plan for in-kind mitigation. The qualified marine biologist shall submit the mitigation plan to the District and resource agencies within 60 days following the post-construction survey. b. The eelgrass mitigation and monitoring plan shall specify that the contractor/entity harvesting eelgrass to implement the required mitigation would need to obtain a		

Mitigation Measure(s)	Responsible Party	Mitigation Timing
Scientific Collecting Permit (SCP) for eelgrass harvest and a letter of authorization (LOA) at least 30–60 days prior to implementation. c. Mitigation for eelgrass impacts shall be at a ratio of no less than 1.2:1, as required by the California Eelgrass Mitigation Policy. d. Mitigation shall commence within 135 days of any noted impacts on eelgrass, such that mitigation commences within the same eelgrass growing season that impacts occur. e. Upon completing mitigation, the qualified biologist shall conduct mitigation performance monitoring at performance milestones of 0, 12, 24, 36, 48, and 60 months. f. The qualified biologist shall conduct all mitigation monitoring during the active eelgrass growing season and shall avoid the low growth season (November–February). Performance standards shall be in accordance with those prescribed in the California Eelgrass Mitigation Policy. g. The qualified biologist shall submit the monitoring reports and spatial data to the District and resource agencies within 30 days after the completion of each monitoring period. The monitoring reports shall include all of the specific requirements identified in the California Eelgrass Mitigation Policy.		
Geology and Soils		
MM-GEO-1: Compliance with Recommendations of the Geotechnical Studies. Implementation of the proposed Project would comply with the recommendations of the Geotechnical Studies (Geotechnical Investigation Landside Improvements Harbor Island West Marina prepared by TerraCosta Consulting Group, Inc. dated January 28, 2015 and Guide Pile and Approach Pier/Gangway Foundation Design Criteria Harbor Island West Marina Letter Report prepared by TerraCosta Consulting Group, Inc. dated December 10, 2012) to ensure seismic ground-shaking does not impact the proposed Project.	Implementation: Project proponent Monitoring and Reporting: Project proponent Verification: City of San Diego/District	Prior to/during construction
Hazards and Hazardous Materials		
MM-HAZ-1: Conduct Sediment Sampling and Implement Remediation Measures. At the conclusion of the pile driving, the Project Applicant shall conduct sediment sampling of representative areas of potential disturbance near the location of piles. Sampling shall be conducted in accordance with the Water Quality Control Plan for Enclosed Bays and Estuaries (SWRCB 2009). Sediment sampling results shall rely on the Effects Range – Low (ER-L) and Effects Range – Medium (ER-M) guideline values of the National Oceanic and Atmospheric Association (NOAA) Screening Quick Reference Tables (Buchman 2008). If the sediment samples show concentrations of sediment contamination above the guideline values, the Project Applicant shall delineate the extent of cross-contamination and propose	Implementation: Project proponent Monitoring and Reporting: Sampling and Remediation Report	Conclusion of pile driving

Mitigation Measure(s)	Responsible Party	Mitigation Timing
remediation approaches (subject to approval by the District and any other agencies with jurisdiction over site contamination) that may include, but are not limited to, dredging, placement of sand cover, or Enhanced Monitored Natural Recovery (EMNR) sand containing active carbon. The Project Applicant shall implement the approved remediation. The results of the sampling and remediation shall be documented in a report to be reviewed and approved by the District, RWQCB, and any other appropriate regulatory agencies.	Verification: District, RWQCB, other regulatory agencies as appropriate	
Hydrology and Water Quality		
MM-HWQ-1: Implementation of Best Management Practices During Hydraulic Jetting and Pile Driving. The following best management practices (BMPs) shall be implemented during the Project's hydraulic jetting and pile driving process: • Pile Jetting: Contractor shall control sediment displacement by reducing the jetting volume and/or velocity where feasible. Prior to pile jetting, the contractor shall first "stab" the pile into the bottom substrate to advance it through the upper layer of soft sediment and then jet the pile to reduce sediment disturbance during jetting operations. • Silt Curtains: Silt curtains shall be in place for the entirety of the Project (i.e., installed before the jetting process begins and not be removed until the pile driving is completed for all piles). The silt curtains shall be placed as close to the construction zone as practical and extend to the bottom but should not rest on the seafloor based on tidal variations. Given the tidal variation at the Harbor Island West Marina, the length of the silt curtains shall be adjusted to accommodate varying water levels (e.g., use of curtains with reefing or furling lines). The maximum water depth in the vicinity of the Harbor Island West Marina is approximately 20 feet at high tide; therefore, a 19 foot deep silt curtain shall likely be sufficient for the deepest areas. Shorter curtains may be used in shallower areas. Silt curtain specifications shall be provided to the District prior to installation. Silt curtain deployment shall be monitored by the construction contractor personnel proficient in all aspects of silt curtains to ensure that turbidity does not escape and tidal currents do not cause deflection, and that the curtain length is properly set. Torn or damaged curtains shall be repaired or replaced immediately. • Debris Handling: Removed pilings, debris, and any adhering sediment shall be disposed of off-site by the contractor. If sediment must be stored at the Project site prior to disposal, it should be placed in containers or lined/covered storage areas constructed to prevent release and spillage. • Surface Boom: A floating surface boom shall be used to capture floating debris. The boom shall be placed at a sufficient distance from the construction area so as to capture all debris. Debris should be removed at the end of every work day, or sooner. In the case of rough waters, debris shall be removed immediately. If there is any reason to believe that there will be any oil, fuel, creosote, or other similar materials released during jetting, absorbent pads shall be required in conjunction with the boom.	Implementation: Project proponent Monitoring and Reporting: Monthly report to District Verification: District	During hydraulic jetting and pile driving

Mitigation Measure(s)	Responsible Party	Mitigation Timing
• Utility Boat: A small boat shall be available throughout the duration of waterside Project construction to manage the silt curtains, booms, and debris. • Equipment Inspection: All jetting equipment, including hoses, lines, and jet pumps, shall be inspected daily and replaced or repaired accordingly. • Navigation Restrictions: Work activities and restrictions to boat navigation shall be scheduled and coordinated ahead of time with the District and Harbor Island West Marina and Sheraton San Diego Hotel and Marina tenants. Sufficient notification shall be provided. In the event that emergency vessel traffic must be accommodated, the contractor shall move the BMPs immediately. • Structure Demolition: To the greatest extent possible, any structures requiring demolition shall be removed whole and dismantled at a location away from the water. • Daily Inspection: All BMPs shall be inspected at least daily. Any faulty/failing equipment shall be repaired/replaced as necessary. Daily visual water quality monitoring shall include monitoring for any visible turbidity plumes, oil or sheens, floating debris, or water discoloration associated with project construction activities and shall be conducted a minimum of one hour after commencement of construction activities with the potential to cause sediment disturbance. A monthly report of the monitoring shall be compiled and submitted to the District's Engineering and Construction Management Department. If a turbidity plume is observed, response actions shall be immediately taken (see MM-HWQ-2).		
MM-HWQ-2: Implementation of Best Management Practices for Turbidity Monitoring During Hydraulic Jetting and Pile Driving. The following best management practices (BMPs) for turbidity monitoring shall be implemented during the Project's hydraulic jetting and pile driving processes: • Turbidity shall be monitored a minimum of once per week at mid-depth of water column. The monitoring shall include the following: ○ Monitoring Stations – During weekly monitoring turbidity shall be measured at the construction site after pile driving activities have been underway for at least one hour and at a reference site. Monitored water quality measurements shall be compared to ambient San Diego Bay reference measurements located outside of the construction area (outside silt curtain) that are not impacted by the construction. ○ Project Compliance Stations – A minimum of three locations shall be established as compliance stations for the collection of water quality monitoring data. Compliance station data shall be compared to reference station data to determine if the construction activities are impacting water quality based on the Performance Standards (see below). Compliance stations shall be located evenly along an arc located 200 feet from the edge of the construction area to capture all tidal and current conditions. The locations may be adjusted in the field to better target a visible turbidity plume, if a visible plume is observed.	Implementation: Project proponent Monitoring and Reporting: Monthly Report to District Verification: District	During hydraulic jetting and pile driving

Mitigation Measure(s)	Responsible Party	Mitigation Timing
○ Reference Station – A minimum of one station shall be established as a reference station to measure ambient San Diego Bay water quality conditions and shall be located in the direction of the mouth of the Bay and 1,000 feet beyond the influence of construction activities. Natural turbidity shall be determined through measurements at the reference station in order to compare the reference station measurements to compliance stations measurements. ○ Global Position System – Monitoring station positions will be located using a Global Position System (GPS) accurate to within ± 3 meters. ● Performance Standards – The following turbidity standards are based on recent Regional Water Quality Control Board permit requirements (e.g., RWQCB, 2016; RWQCB, 2017) and are required to meet performance standards: ○ If reference station turbidity is between 0 to 50 NTUs, the maximum increase from construction activities must not exceed 20 percent of the measured turbidity at the reference station. If reference station turbidity is between 51 to 100 NTUs, the maximum increase from construction activities must not exceed 10 NTUs. If reference turbidity is greater than 100 NTUs, the maximum increase from construction activities must not exceed 10 percent above the reference levels. ● Response Actions to Water Quality Monitoring Exceedance - In the event that visual observations (MM-HWQ-1, MM-HWQ-3) or the water quality monitoring described here in MM-HWQ-2, indicate an exceedance of an applicable receiving water Performance Standard, the following actions shall be implemented: ○ Immediately re-take water measurements at reference and compliance stations in accordance with the procedures in MM-HWQ-2. ○ Evaluate the measurements at background and compliance monitoring stations and use visual observations to determine whether the exceedance is caused by construction activities or by other ambient conditions in San Diego Bay such as wind waves, boat wakes, barge/ship traffic, and storm inflow. ○ If the exceedance is confirmed to be a result of the project construction, monitor conducting the water quality monitoring shall coordinate with the District's Engineering and Construction Management Department to immediately notify the contractor to modify or cease operations related to in-water construction activities and/or inspect the BMP's to ensure they are working properly to mitigate the exceedance. Operational modifications may include fixing, adjusting, maintaining, and/or upgrading silt curtains or use of a second silt curtain. ○ Re-evaluate water measurements at all relevant stations no more than 30 minutes later, after additional BMPs or operational modifications are implemented. ○ If the receiving water performance standards exceedance continues to persist, even with additional BMPs, determine and implement operational modifications including modifying the rate of jetting, waiting longer to initiate pile driving, or perform more start-stops until the exceedance levels comply with the performance standards. If necessary,		

Mitigation Measure(s)	Responsible Party	Mitigation Timing
corresponding construction activities shall be stopped until performance standards are met. Typically, turbidity is reduced within one hour.		
MM-HWQ-3: Implementation of Best Management Practices for Visual Monitoring During Hydraulic Jetting and Pile Driving. Implement the following response actions to visual plumes observed outside of the silt curtain: • If the condition of the silt curtain is observed to be damaged, no longer positioned around the in-water construction area, or has gaps where a visible turbidity plume is forming outside of the silt curtain, the contractor shall act immediately to correct the silt curtain to prevent any turbidity outside the silt curtain. • Actions to ensure the silt curtain is functioning shall include, but are not limited to, work stoppage to inspect the silt curtain; repair the silt curtain; position or reposition the silt curtain around the active work area; ensure the silt curtain has no gaps; implementation of operational modifications (e.g., fixing, adjusting, maintaining, and/or upgrading silt curtains); and/or, implementation of a second silt curtain. • If receiving water quality monitoring indicates an exceedance of the Performance Standards, construction activities shall be halted until measured turbidity has decreased to levels below Performance Standards. • All response actions shall be documented and reported to the District in writing and by phone immediately.	Implementation: Project proponent Monitoring and Reporting: Report in writing and by Phone Verification: District	Immediately by phone and within 24 hours by report