

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

P.O. BOX 120488  
SAN DIEGO, CA 92112-0488  
(619) 686-6291

**COASTAL DEVELOPMENT PERMIT**

**Applicant:** HII San Diego Shipyard, Inc.  
1995 Bay Front Street  
San Diego, CA 92113

**Project:** HII San Diego Shipyard Inc. Marginal Wharf Repair and As-Needed Pile Replacement Project

**Location:** 1995 Bay Front Street, San Diego, CA 92113

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:** April 9, 2019

**Board of Port Commissioners Resolution Number:** 2019-XXX

**Date of Permit:** XXX XX, 2019

**Application Number:** 2019-013

**Permit Number:** CDP-2019-XX

The Project, as defined below, is located within the jurisdiction of the San Diego Unified Port District (District) and in the California Coastal Zone. The Project constitutes development pursuant to Public Resource Code (herein "Coastal Act") Section 30106 as it would involve demolition and construction of structures. Chapter 8 of the Coastal Act regulates port development within the Coastal Zone. Section 30715 of Chapter 8 specifies the sole categories of development that may be appealed to the Coastal Commission. The development of a marine industrial shipyard is not listed as appealable in Section 30715. The Project is also located between the sea (as defined in the Coastal Act) and the first inland continuous road paralleling the sea, and the Project is fully consistent with Chapters 3 and 8 of the Coastal Act and the District's certified Port Master Plan (PMP).

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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, HII San Diego Shipyard, Inc. (referred to herein as “Permittee”), proposes to replace three existing wharves that have severely deteriorated, install replacement up to 1,304 piles that would occur on an as-needed basis at the two main piers as well as three smaller piers, and demolish and not re-build one of the existing piers (collectively, “Project”) at 1995 Bay Front Street in San Diego (Exhibit 1, Project Vicinity and Exhibit 2, Aerial Photograph). The proposed project is located in Planning District 4, Tenth Avenue Marine Terminal, which is delineated on Precise Plan Map Figure 13 of the PMP (Attachment A). The PMP land and water use designations within the limits of the proposed project are Marine Related Industrial and Specialized Berthing. The Project is listed as Project No. 6 “Boatyard” in the PMP Project List (Table 13).

The entire Project shall include the development, operation, use and maintenance of the following components/features to be implemented in two components necessitated by a need for repair, maintenance, and replacement of the existing in-water facilities on the Project site that are used in the repair of military and other vessels (Exhibit 3, Existing Conditions).

The first component is the replacement of Wharves 2, 5, and 7 that have severely deteriorated, or in the case of Wharf 7, fallen completely into San Diego Bay. The second component includes installation of like-for-like pile replacements that would occur on an as-needed basis at the two main piers within the Project site (Piers 4 and 6) as well as Piers 1, 5, and 7 (Pier 2 would be demolished rather than being repaired) (Exhibit 4, Proposed Conditions).

Construction activities would begin in mid-to-late 2019 and would take place over an approximate five-year period between 2019 and 2023. All staging for construction would take place onsite.

The Project would result in a reduction of the total number of piles, as well as a reduction in overwater coverage and fill. The reduction in the number of piles, the types of piles to be used, as well as the reconfiguration of wharves and piers, would allow for these reductions in the amount of fill and overwater coverage at the Project site, as shown in Table 1 below.

**Table 1**

Component	Pier Area (SF)*	Existing Wharf Area (SF)	Proposed Wharf Area (SF)	Net Change in Overwater Coverage Area (SF)	Piles to be removed (Total of 1,304 Piles)	Piles to be Replaced (Total of 1,169 Piles)	Existing Pile Fill Area (SF)	Proposed Pile Fill Area (SF)	Net Change in Pile Fill Area (SF)	Proposed Construction Phase and Date
Pier 1	7,400	n/a	n/a	0 sf	158 wooden piles	158 H-piles or None if Pier 1 is removed.	344.7 sf	24.1 sf	-320.6 sf	Phase II 09/2020 – 03/2021
Pier 2 Wharf 2	3,405 (would be removed for safety reasons)	8,360	10,800	-965 sf	133 wooden piles	None - Pier 2 to be removed	290.2 sf	0 sf	-290.2 sf	Phase II 09/2020 – 03/2021
Pier 4	28,260	n/a	n/a	0 sf	160 wooden 162 H-piles (fender) 40 Concrete	160 H-piles 160 H-piles (fender) 40 Concrete	349.1 sf 24.8 sf 133.1 sf	24.4sf 24.4 sf 133.1sf	-325.1 sf	Phase I 09/2019 – 03/2020
Pier 5 Wharf 5	4,080	11,558	7,142	-4416 sf	186 wooden	186 H-piles	405.8 sf	28.4 sf	-377.4 sf	Phase III 09/2021 – 03/2022
Pier 6	30,363	n/a	n/a	0 sf	25 wooden 140 H-piles (fender) 112 concrete	25 H-piles 140 H-piles (fender) 112 concrete	54.5 sf 21.4 sf 372.6 sf	3.8 sf 21.4 sf 372.6 sf	-50.7 sf	Phase I 09/2019 – 03/2020
Pier 7 Wharf 7	19,405 (former size, would be replaced)	8,140 (former size, only remnants remain)	8,140	0 sf	188 wooden	188 H-piles	410.2 sf	28.7 sf	-381.5 sf	Phase IV 09/2022 – 03/2023
				Total Change: -5381 sf					Total Change: -1745.5 sf	

The two components of the Project are discussed in more detail below.

### **Component 1 – Replacement of Wharves 2, 5 and 7**

Marginal wharf repair for the project would occur at Wharves 2, 5, and 7, including reconfiguration and pile replacement. There would be an overall reduction in overwater coverage from the wharves as demonstrated in Table 1 above. Upon completion of Component 1, these wharves would be utilized for material storage and staging for U.S. Navy vessel repair contracts, as well as mooring for small work vessels. The Project would streamline existing operations by providing for more staging and storage areas near vessel repair areas. Additionally, the Project would provide for greater safety by repairing and replacing damaged and deteriorated piles and wharves. However, the Project would not result in an increase in operations; nor would it result in any additional employees, other than those needed during construction.

### **Component 2 – As-Needed Pile Replacement**

The Project involves the as-needed replacement of all 1,304 piles that currently exist within the Project site. The Project would not involve pile replacement associated with Pier 2, which would be demolished and would not be rebuilt. The 1,304 piles would be replaced on an as-needed basis over four phases (Exhibit 5, Phasing Plan) with new concrete, plastic, and steel fender piles. The number of piles removed/installed would range from 10 to 15 piles per day, and 50 to 75 piles per week. Component 2 would allow for the protection of the three the existing piers, remove existing wood piles containing hazardous chemicals from the Bay, and provide the ability to continue to safely moor vessels.

### **STANDARD PROVISIONS**

1. Permittee shall adhere strictly to the current 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 and herein described. Notification shall be in writing and be delivered promptly to the District. District approval of the Project change may be required prior to implementation of any changes.
3. 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.
4. 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.
5. Permittee shall be responsible for compliance with ADA and Title 24 specifications.

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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 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.
9. 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.
10. 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.

11. 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

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contained therein, may be considered a violation of the permit and a violation of District Code.

12. 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.
13. 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



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“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) provide acoustical shielding around equipment operating at night, from 10:00 pm to 7:00 am.
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 adjacent areas.
3. All construction equipment shall be maintained in peak condition to reduce operational emissions.
4. Diesel equipment shall use low-sulfur diesel fuel.

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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 the Construction Management section of the District's JRMP as adopted, amended, and/or modified. Construction activity subject to the JRMP includes soil disturbing activities greater than 100 sq. ft. but less than 1 acre, or any work occurring over water. The JRMP requires development and implementation of a Construction BMP Plan (a mini-Storm Water Pollution Prevention Plan (SWPPP)). The Permittee and/or contractor are responsible for submitting to the District a Construction BMP Plan that is compliant with the District required minimum BMPs. The District requires the use of District Construction BMP Plan templates. Once approved, the Construction BMP Plan 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 Construction BMP Plan 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.

### SPECIAL PROVISIONS

1. Permittee shall comply with the Project Description under the above "DEVELOPMENT" section of this permit.



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2. All haul trucks associated with Project construction and operation shall access Interstate 5 (I-5) via the designated route of East Harbor Drive and 28<sup>th</sup> Street and shall avoid the Barrio Logan neighborhood. This route shall be identified in the construction documents for the Project.
3. Permittee shall comply with all mitigation measures (MM) in the Mitigation Monitoring and Reporting Program requirements, as described in the "Hill San Diego Shipyard Inc. Marginal Wharf Repair and As-Needed Pile Replacement Project" Final Mitigated Negative Declaration (UPD #MND-2019-013; SCH #2019011069, Clerk Document No. XXXXX), dated April 9, 2019, and adopted by Resolution No. 2019-xxx on April 9, 2019. The MMs are included as Special Provisions of this Permit below.
4. **CONSTRUCTION MONITORING FOR SENSITIVE SPECIES (BIO-1)**

Prior to the commencement of in-water construction activities, the Permittee shall retain a qualified biological monitor that shall be approved by the District. The Permittee shall also obtain a Letter of Authorization from the National Oceanic and Atmospheric Administration to cover incidental harassment of marine mammals prior to the commencement of in-water construction activities. The monitor shall observe for presence of sensitive marine species including sea turtles, marine mammals, and California least terns. The monitor shall observe the site for 15 minutes prior to the start of pile driving. If sensitive species are within the shutdown zone, as defined for each species below, prior to the start of pile driving, the monitor shall delay pile driving until the monitor no longer observes the species in the shutdown zone. If a sensitive species enters the shutdown zone during active pile driving, the biological monitor shall stop pile driving until the monitor no longer observes the species in the shutdown zone.

  - During pile driving of steel piles, dolphins and sea lions shall have a 25-meter shutdown zone. Seals shall have a 300-meter shutdown zone. The 300-meter shutdown zone shall apply to green sea turtles and the 25-meter shutdown zone shall apply to California least terns. Work stoppage for any species is subject to the discretion of the biological monitor who shall have the authority to stop work at any time due to observed animal behavior or uncertainty with regards to potential to harm an animal due to pile driving activities or noise generated from the activity.
  - During pile driving of concrete piles, dolphins and sea lions shall have a 20-meter shutdown zone. Seals shall have a 60-meter shutdown zone. The 60-meter shutdown zone shall apply to green sea turtles and the 20-meter shutdown zone shall apply to California least terns. Work stoppage for any species is subject to the discretion of the biological monitor who shall have the authority to stop work at any time due to observed animal behavior or uncertainty with regards to potential to harm an animal due to pile driving activities or noise generated from the activity.

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- Marine mammals shall be monitored within 300 meters of the activities and observation recorded by the biological monitor. Incidental Level B Harassment shall be noted for any animal in water within 215 meters of pile driving of steel piles and within 117 meters for pile driving of concrete piles.
- The biological monitor shall provide monthly reports to the District during pile driving operations.

**5. SOFT-START SEQUENCING (BIO-2)**

Prior to the commencement of construction activities, the Permittee shall require its contractor to commence pile driving with a soft-start sequence prior to typical pile driving activities. Soft-start provides a warning and/or gives individuals a chance to leave the area prior to the hammer operating at full power. The soft-start procedure shall require contractors to activate the impact hammer with an initial set of three strikes at 40 percent or less energy, separated by three 30-second waiting periods. If at any point pile driving stops for greater than one hour, then the soft-start procedure shall be conducted prior to the start of further pile driving activities. This requirement shall be indicated on construction documents to the satisfaction of the District.

**6. SILT CURTAIN AND PILE REMOVAL TO MINIMIZE TURBIDITY (BIO-3)**

Permittee shall require and ensure deployment of a silt curtain around the pile-removal and pile-driving areas to restrict the surface visible turbidity plume to the area of removal and driving. The curtain shall consist of a hanging weighted curtain with a surface float line and shall extend from the surface to 15 feet down into the water column. The curtain shall be present for the duration of the pile-removal or pile-driving activity and shall not be removed if any visible turbidity plume is present. In addition to employing a silt curtain, the Permittee shall remove and install piles in a manner that minimizes sediment disturbance and turbidity in the water column.

**7. EELGRASS MITIGATION AND MONITORING PLAN (BIO-4)**

Prior to the start of any in-water construction, the Permittee shall retain a qualified marine biologist to develop an eelgrass mitigation plan in compliance with the California Eelgrass Mitigation Policy (NOAA 2014; Appendix C). The mitigation plan shall be submitted to the District, National Marine Fisheries Service, and other interested regulatory and/or resource agencies for approval and shall be implemented to compensate for losses to eelgrass in the event that the surveys described below indicate the project has impacts on eelgrass. The specific eelgrass mitigation and monitoring plan elements shall include:

- Prior to the commencement of any in-water construction activities, a qualified marine biologist retained by the Permittee and approved by the District shall conduct a preconstruction 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 biologist shall

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submit the results of the pre-construction survey to the District and resource agencies within 30 days.

- Within 30 days of completion of in-water construction activities, a qualified marine biologist retained by the Permittee and approved by the District shall conduct a post construction eelgrass survey during the active eelgrass growing season. The post construction survey shall evaluate potential eelgrass impacts associated with construction. Upon completion of the postconstruction survey, the qualified marine biologist shall submit the survey report to the District and resource agencies within 30 days.
- 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. Specifically, the surveys shall be designed to evaluate potential shading impacts noted in the project's Marine Biological Resources Report (Appendix B of the Initial Study).
- In the event that impacts on eelgrass are detected, the Permittee shall implement the following:
  - A qualified marine biologist retained by the Permittee 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.
  - The eelgrass mitigation and monitoring plan shall specify that the contractor/entity harvesting eelgrass to implement the required mitigation would need to obtain a Scientific Collecting Permit (SCP) for eelgrass harvest and a letter of authorization (LOA) at least 30-60 days prior to implementation.
  - Mitigation for eelgrass impacts shall be at a ratio of no less than 1.2:1, as required by the CEMP, at the proposed mitigation areas within the project site, as identified in the project's Marine Biological Resources Report (Appendix B of the Initial Study).
  - 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.
  - Upon completing mitigation, the qualified biologist shall conduct mitigation performance monitoring at performance milestones of 0, 12, 24, 36, 48, and 60 months.

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- 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 (Appendix C of the Initial Study).
  - 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 (Appendix C of the Initial Study)
8. **SECONDARY CONTAINMENT STRUCTURES (HAZ-1)**  
The Permittee shall require its contractor to ensure that oils and fuels are contained in secondary containment structures during any demolition or construction activities so that spills and leaks are contained and prevented from entering the Bay. This measure shall be denoted on the construction plans and/or construction contract and proof of such denotation shall be submitted to the District's Director of Development Services Department.
9. **HAZARDS-RELATED WORKER TRAINING (HAZ-2)**  
Prior to commencing any demolition or construction activities, the Permittee shall require its contractor to provide training to construction workers on specific task areas, including potential hazards resulting from accidental oil and/or fuel spills, and proper equipment operation. This measure shall be denoted on the construction plans and/or construction contract and proof of such denotation shall be submitted to the District's Director of Development Services Department.
10. **EQUIPMENT INSPECTION (HAZ-3)**  
Prior to commencing any demolition or construction activities, the Permittee's contractor and equipment operators shall conduct equipment inspections prior to use to identify and address wear, faulty parts, and leaks. This measure shall be denoted on the construction plans and/or construction contract and proof of such denotation shall be submitted to the District's Director of Development Services Department.
11. **PROPER EQUIPMENT INSTRUMENTATION (HAZ-4)**  
Prior to commencing any demolition or construction activities, the Permittee shall require its contractor to identify required instrumentation for each piece of equipment to avoid spillage of material from the barge. This measure shall be denoted on the construction plans and/or construction contract and proof of such denotation shall be submitted to the District's Director of Development Services Department.
12. **HAZARDOUS MATERIALS MONITORING (HAZ-5)**  
Prior to commencing any demolition or construction activities, the Permittee shall require its contractor to assign construction personnel to visually monitor for oil and

fuel spills during construction. If spilled oil or fuel is detected, all equipment shall be shut down and the source of the spill shall be identified, contained, and reported. This measure shall be denoted on the construction plans and/or construction contract and proof of such denotation shall be submitted to the District's Director of Development Services Department.

**13. OIL/SPILL KITS (HAZ-6)**

Prior to commencing any demolition or construction activities, the Permittee shall require its contractor to inform construction workers as to where oil/fuel spill kits are located, how to deploy the oil absorbent pads, and proper disposal guidelines. The barge shall have a full complement of oil/fuel kits on-board to allow for quick and timely implementation of spill containment. This measure shall be denoted on the construction plans and/or construction contract and proof of such denotation shall be submitted to the District's Director of Development Services Department.

**14. BARGE LOADING PROCEDURES (HAZ-7)**

Prior to commencing any demolition or construction activities, the Permittee shall require its contractor to identify barge load limits and loading procedures and shall mark the appropriate draft level on the materials barge hull. This measure shall be denoted on the construction plans and/or construction contract and proof of such denotation shall be submitted to the District's Director of Development Services Department.

**15. REMOVED PILE REPLACEMENT (HAZ-8)**

When placing pulled and removed piles and debris in the barge, the Permittee shall require its contractor to employ a flattop barge with containment walls and "skip tubs" to prevent any sediment, wood, or metal debris from falling into the water. The contractor shall locate the barge as close to shore as possible when transferring materials and/or debris on and off of the work barge. If necessary, traps shall be utilized to prevent debris from falling into the water. This measure shall be denoted on the construction plans and/or construction contract and proof of such denotation shall be submitted to the District's Director of Development Services Department.

**16. REMOVED MATERIAL CLEAN-UP (HAZ-9)**

Permittee shall require its contractor to clean up the marine growth and activity-generated debris and restore the piers where removed materials are placed to pre-construction conditions. This measure shall be denoted on the construction plans and/or construction contract and proof of such denotation shall be submitted to the District's Director of Development Services Department.

**17. CONDUCT SEDIMENT SAMPLING AND IMPLEMENT REMEDIATION MEASURES (HAZ-10)**

At the conclusion of the pile driving, the Permittee 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

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of the NOAA Screening Quick Reference Tables (Buchman 2008). If the sediment samples show concentrations of sediment contamination above the guideline values, Permittee shall delineate the extent of cross contamination and propose 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. Permittee 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.

Exhibits:

1. Project Vicinity
2. Aerial Photograph
3. Existing Conditions
4. Proposed Conditions
5. Phasing Plan

Attachment:

- A. Precise Plan Figure 13, Planning District 4

If you have any questions on this Permit, please contact the Development Services Department of the San Diego Unified Port District at (619) 686-6291.

RANDA CONIGLIO  
President/Chief Executive Officer

By: \_\_\_\_\_  
Wileen C. Manaois  
Director, Development Services



*COASTAL DEVELOPMENT PERMIT NO. CDP-2019-XX*  
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I have read and understand the terms, conditions, limitations, and provisions of this Permit and agree to abide by them.

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Signature of Permittee

Bob Montreuil

Manager of Facilities, HII San Diego Shipyard Inc.

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Date

DRAFT

