

MINUTE ITEM

This Calendar Item No. 46
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 2
to 0 of its 276191
meeting.

CALENDAR ITEM

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02/06/91
PRC 6976
Martinez

DREDGING PERMIT

LESSEE:

Continental Maritime of San Diego
1995 Bay Front Street
San Diego, California 92113

AREA, TYPE LAND AND LOCATION:

Tide and submerged lands in San Diego Bay at Pier 6,
San Diego County.

LAND USE:

Dredge a maximum 9,984 cubic yards of material to maintain a
navigable depth for deeper draft ships at reconstructed
Pier 6. The dredged material was tested and deemed suitable
for disposal offshore at the EPA/Corps-approved LA-5
Disposal Site.

TERMS OF PROPOSED PERMIT:

Initial period:

One year beginning February 6, 1991.

Royalty:

No charge for material disposed of offshore at the
approved disposal site. \$0.25 per cubic yard for any
material used for private benefit or commercial sale
purposes.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing fees have been received.

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CALENDAR ITEM NO. C 0 6 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 284:

06/17/91

OTHER PERTINENT INFORMATION:

- 1. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
- 2. An EIR was prepared and adopted for this project by the San Diego Unified Port District (SCH No. 89032913). The State Lands Commission's staff has reviewed such document.

APPROVALS OBTAINED:

United States Army Corps of Engineers, California Coastal Commission, San Diego Unified Port District, and Regional Water Quality Control Board.

EXHIBIT:

- A. Location Map
- B. Findings and Stipulations

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
- 2. FIND THAT AN EIR WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE SAN DIEGO UNIFIED PORT DISTRICT (SCH NO. 89032913) AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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CALENDAR ITEM NO. C C C (CONT'D)

3. CONCUR WITH THE FINDINGS AND STIPULATIONS, EXHIBIT "B", ADOPTED BY THE BOARD OF COMMISSIONERS OF THE SAN DIEGO UNIFIED PORT DISTRICT FOR THIS ACTIVITY.
4. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
5. AUTHORIZE STAFF TO ISSUE TO CONTINENTAL MARITIME OF SAN DIEGO THE DREDGING PERMIT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION. THE PERMIT SHALL ALLOW, CONSISTENT WITH SPECIAL CONDITIONS ADOPTED BY APPLICANT (SEE EXHIBIT "B"), DREDGING A MAXIMUM 9,984 CUBIC YARDS OF MATERIAL FROM SAN DIEGO BAY, SAN DIEGO COUNTY, FOR ONE YEAR BEGINNING FEBRUARY 6, 1991. THE DREDGED MATERIAL WILL BE DISPOSED OF OFFSHORE AT THE LA-5-APPROVED DISPOSAL SITE. NO ROYALTY SHALL BE CHARGED FOR APPROVED OFFSHORE DISPOSAL. A FEE OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES. THE PERMITTED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES.

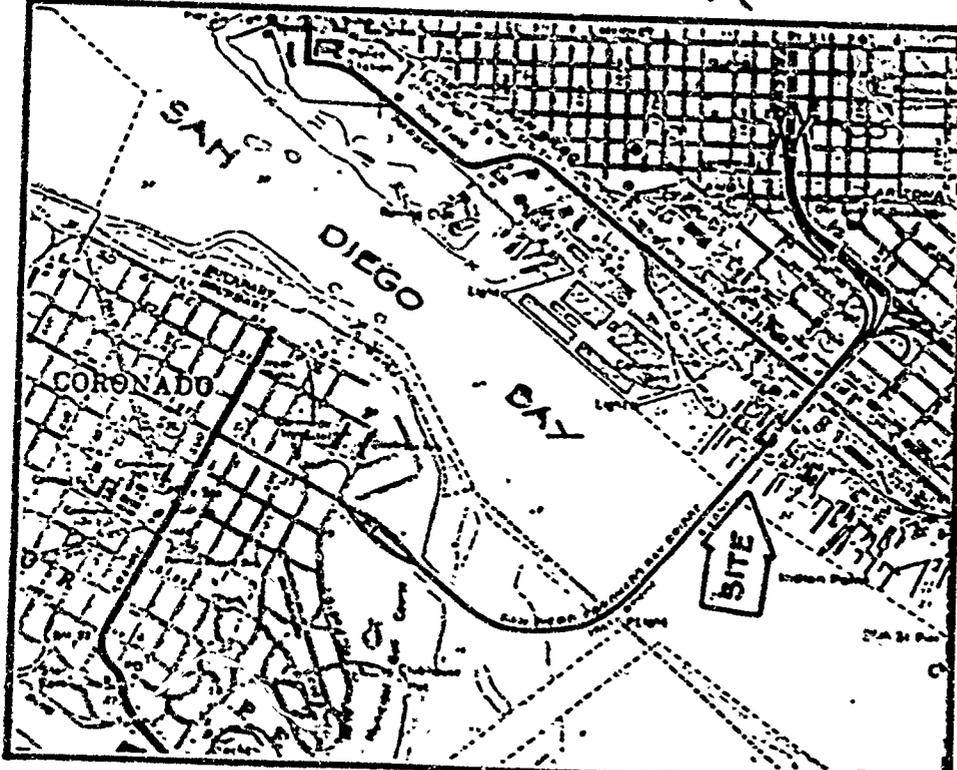
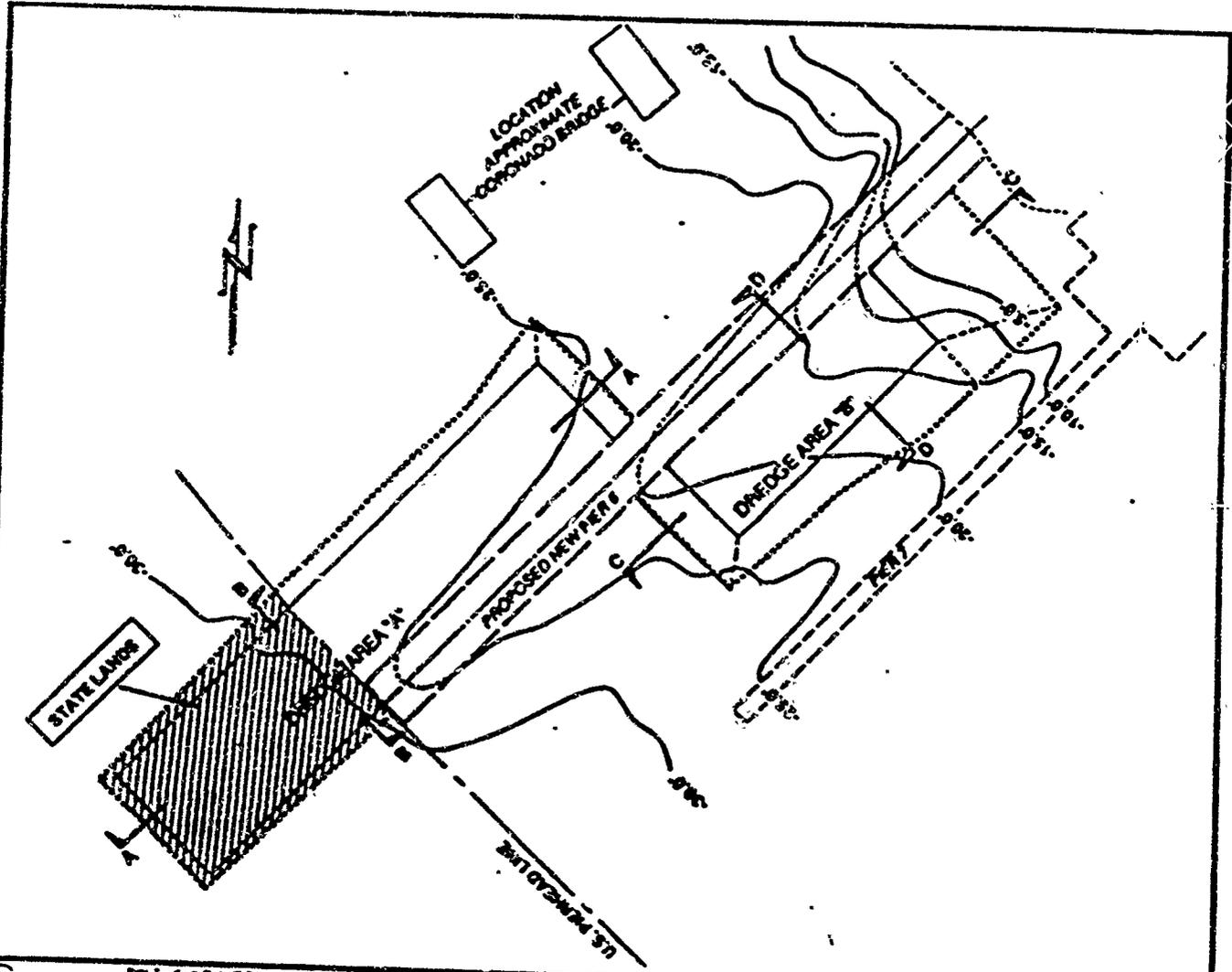


EXHIBIT "A"
APPLICATION FOR
DREDGING PERMIT
 Continental Maritime of San Diego
 PRC 6976
 SAN DIEGO BAY
 SAN DIEGO COUNTY



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EXHIBIT "B"

Re Continental Maritime Facilities Improvements, San Diego)
Final Environmental Impact Report, and)
Filing of Notice of Determination)

RESOLUTION 89-384

WHEREAS, the Continental Maritime of San Diego, Inc., (Applicant) proposes to redevelop the existing ship repair facilities located on tidelands in the City of San Diego; and

WHEREAS, the San Diego Unified Port District (District) is the trustee of said tidelands; and

WHEREAS, pursuant to the California Environmental Quality Act of 1970, as amended (CEQA), the State CEQA Guidelines, and the District's Procedures for Environmental Review, an Environmental Impact Report (EIR) has been prepared for the Continental Maritime Facilities Improvements, San Diego (Project); and

WHEREAS, the Final EIR, which includes all comments received to the Draft EIR and the District's responses, is before the Board of Port Commissioners (Board), and District staff has concluded that it is adequate and complete and recommends certification; NOW THEREFORE,

BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

1. The Board hereby certifies that the Final EIR concerning the Project, on file in the Office of the District Clerk as Document No. 24649, has been completed in compliance with CEQA, the State CEQA Guidelines, and District Procedures for Environmental Review, and that the Board and other District officials having final authority over approval of the Project have reviewed and considered the information in the Final EIR.

2. The Board finds that the contents of the Final EIR are an exercise of the independent judgment and analysis of the District and are sufficient, accurate, and objective.

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3. Based on the information contained in the Final EIR, the Board makes the following findings and determinations:

a. that the Board adopted a Negative Declaration entitled "Continental Maritime Leasehold Redevelopment" (Document No. 19214) by Resolution 86-75 finding that the operations of the existing ship repair yard would not have a significant adverse effect on the environment;

b. that the project consists of facility improvements Continental Maritime proposes to implement over the next five years including: 1) replacement of an existing wooden pier (Pier #6) with a concrete pier extending to the pierhead line (665 feet) and dredging of the surrounding 225,000 s.f. area to a depth of -35' MLLW; 2) replacement of the wooden in-board 475' section of Pier #4 with a concrete pier and dredging of the surrounding 16,000 s.f. area to -35' MLLW; 3) renovation of three existing piers (Piers #1,2,7); 4) construction of two additional 6' wide by 200' long concrete finger piers; 5) demolition of two existing buildings (boiler room and quonset hut) on the land portion of the site;

c. that the purpose of the proposed improvements would be to increase the kinds of ships and boats that can be serviced at one time at Continental Maritime's existing facility including both deep-draft ships and smaller boats under 500 tons;

d. that no new kinds of fabrication or repair services would be provided at the facility as a result of the proposed improvements other than the hauling out of boats under 500 tons, for landside repairs;

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- e. that the potential short term impacts to bay water quality or marine resources from dredging can vary by daily and seasonal variations in tidal conditions, water clarity, temperature, kinds and sensitivities of fishes and benthic organisms in the immediate affected area, kinds and levels of contaminants in the sediments to be dredged and methods by which the sediments are removed;
- f. that potential project related impacts on bay water quality and marine resources, including sediment chemistry, bioassay data, bottom characteristics and benthos, and prevailing water depths and amounts to be dredged have been addressed in the EIR and it is concluded that the proposed dredging would not cause a substantial adverse impact on bay water quality or marine life;
- g. that the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, the State Lands Commission, and/or the San Diego County Department of Health Services, as applicable, are the responsible permitting agencies for the proposed dredging activities, and that approval of the dredging and dredge spoil disposal plans with respect to potential effects on bay water quality, marine resources and endangered species, including the implementation and monitoring of conditions or limitations imposed therein, is required and is within the discretion and jurisdiction of those agencies;
- h. that the State of California, Department of Public Works, CALTRANS, and/or the San Diego/Coronado Toll Bridge Authority is responsible for the operation and maintenance of the San Diego/Coronado Bay Bridge, and that approval of the dredging plans with respect to engineering and geotechnical considerations including the implementation and monitoring of conditions or limitations imposed therein, is required and is within the discretion and jurisdiction of that agency;

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i. that to ameliorate reasonably the concerns expressed in connection with the proposed facilities improvements at Continental Maritime, the following specific conditions have been identified and are required as a part of the District's subsequent construction project plan approval process;

1) To ensure adequate parking for workers and visitors at the leasehold, a total of 600 on-site parking spaces must be designated and maintained by Continental Maritime. This requirement will be made a condition of the District's approval of project construction plans.

2) Proposed dredging and disposal of dredge spoil is under the jurisdiction and permit authority of the Corps of Engineers, the Regional Water Quality Control Board, and the State Lands Commission (SLC) if ocean disposed; and additionally if land disposed, the County Department of Health Services (DOHS) and the SLC. The Applicant will be required to obtain and comply with all applicable permits, plan approvals, and conditions from these responsible agencies as a condition of the District's approval of project construction plans.

3) To ensure that the proposed dredging causes no impacts to California least tern foraging in the bay, dredging will not be permitted between April 1 and September 15, unless it is expressly authorized by the U.S. Fish and Wildlife Service and Department of Fish and Game for the work to proceed during this period, as a condition of the District's approval of project construction plans.

4) Proposed dredging adjacent to Piers #4 and #6 may encroach into the easement granted by the District to the State of California, Department of Public Works, for the construction.

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maintenance, and operation of the San Diego-Coronado Bay Bridge. The dredging may approach two or more of the bridge support foundations. Approval of the dredging plans as to engineering and geotechnical considerations by the appropriate agency (Department of Public Works, CALTRANS, or the San Diego/Coronado Toll Bridge Authority) will address any geotechnical concerns for dredging in the vicinity of the bridge foundations. Dredging plan approval by the responsible Bridge agency will be made a condition of the District's approval of project construction plans.

j. that the project, as conditioned above, will not result in substantial adverse impacts to water quality, marine resources, endangered species, parking, or the safety or operation of the San Diego/Coronado Bridge structure;

k. that potential project-related impacts to traffic circulation, noise, public safety, public recreation, air quality, historical resources, visual quality, and cumulative and growth inducing effects have been addressed in the EIR and are found not to be significant;

l. that the EIR has been completed in compliance with CEQA and State CEQA Guidelines;

m. that the Board of Port Commissioners has reviewed and considered the information contained in the Final EIR including letters of comment and District response.

n. that the Board is making findings and conclusions therefrom;

4. The Board finds that for the reasons and findings herein, the proposed Continental Maritime Facilities Improvements, San Diego project will not have a significant (adverse) effect on the environment.

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5. This action by the Board constitutes final environmental approval only. The Port Director or his authorized representative is authorized and directed to file, in accordance with law, a Notice of Determination with the Office of Planning and Research, and with the San Diego County Clerk.

ADOPTED this 19th day of December, 1989.

Presented By: DON L. NAY, Port Director

Don L. Nay

Approved: JOSEPH D. PATELLO, Port Attorney

Joseph D. Patello

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