

RESOLUTION 2017-046

RESOLUTION AUTHORIZING ISSUANCE OF NON- APPEALABLE COASTAL DEVELOPMENT PERMIT FOR NATIONAL STEEL AND SHIPBUILDING COMPANY TABLE 9 EXTENSION AND UPGRADE PROJECT LOCATED AT HARBOR DRIVE AND 28TH STREET IN SAN DIEGO

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

WHEREAS, National Steel and Shipbuilding Company (NASSCO), the project applicant and proponent, has been operating on the San Diego Bayfront since 1960, and its operations include shipbuilding and processing materials in support of shipbuilding; and

WHEREAS, NASSCO proposes to make improvements and upgrades to the existing Table 9 Panel Line to manufacture thinner sheets of plate steel panels than can currently be produced by the existing facility (collectively, "Project"); and

WHEREAS, the Project generally consists of (1) excavating of 950 cubic yards of material on an approximately 68,250 square feet site, with dimensions of approximately 175 feet wide by 390 feet long and creating a level pad; (2) resurfacing of the existing foundations or pouring new concrete foundations to support installation of equipment and overhead roofed structures; (3) demolishing of a small existing bridge used by golf carts for internal circulation and existing building no. 40 used as offices; (4) widening of an internal road used only for internal operations and converting an existing internal one-way street to a two-way street for use by NASSCO's internal operations only; (5) constructing two roofed structures, the first of which would be approximately 179 feet wide by 324 feet long, with an approximate height of 48 feet at the highest point and the second of which would be approximately 68 feet wide by 108 feet long, with an approximate height of 35 feet at the highest point; and (6) continuing the utilization of the Project site for marine related industrial activities; and

WHEREAS, the excavation activities would equate to approximately 75 truckloads of excess dirt and the demolition activities would equate to approximately 45 truckloads of debris, the truck trips would be staggered during the construction period and trucks will access Interstate 5 via the designated route of East Harbor Drive and 28th Street to avoid the Barrio Logan neighborhood; and

WHEREAS, construction is anticipated to begin in April 2017 and would be complete in April 2018; and

WHEREAS, the Project would allow NASSCO to manufacture thinner materials to be used in its existing business, would allow for the continued processing of materials in support of shipbuilding and would not result in an increase in NASSCO's employee count or annual material throughput; and

WHEREAS, the Project site is approximately 1.92 acres and is located at the existing Table 9 Panel Line facility within NASSCO's existing leasehold (at the western side of Harbor Drive and South 28th Street in the City of San Diego); and

WHEREAS, the Project site is located in the Harbor Drive Industrial Subarea of Planning District 4, Tenth Avenue Marine Terminal, which is delineated on Precise Plan Map Figure 13 of the certified Port Master Plan (PMP), the land use designation within the limits of the Project site is Marine Related Industrial and shipbuilding operations and associated operations are allowed uses under the Marine Related Industrial land use designation; and

WHEREAS, the Project, as more particularly described in this resolution, the proposed Coastal Development Permit (CDP) and agenda sheet, conforms to the underlying land use designations and precise plan text, and would serve to facilitate implementation of the certified PMP; and

WHEREAS, the Project site is located between the sea (as defined in the California Coastal Act (codified as California Public Resource Code 30000, seq et.) and the first inland continuous public road paralleling the sea and is not identified as a wetland, estuary or an existing recreation area on the 1975 Coastal Plan and therefore, consistent with Public Resource Code Section 30700, the Project must comply with the Chapter 8 policies of the California Coastal Act; and

WHEREAS, the Project is fully consistent with Chapter 8 policies of the California Coastal Act; and

WHEREAS, the Project constitutes "development" under Section 30106 of the California Coastal Act as it will involve the grading, as well as demolition and construction of structures and accordingly requires a CDP; and

WHEREAS, in accordance with the District's CDP Regulations, the proposed Project constitutes a non-appealable development under Section 7.d.(3) of the District's CDP Regulations (Regulations): Non-Appealable developments are those not classified in the Regulations in Section 7.d.(1) as

“Excluded,” in 7.d.(2) as “Emergency,” or in 7.d.(4) as “Appealable,” and pursuant to Coastal Act Section 30715 and Sections 7.d.(3) and (4) of the Regulations, shipbuilding operations and associated internal improvements are not listed as appealable developments, requiring an appealable CDP, and the proposed Project does not constitute an emergency development; and

WHEREAS, the District has determined that one Non-Appealable CDP for the Project must be issued; and

WHEREAS, conditions are incorporated into the draft Non-Appealable CDP to ensure conformance with related District requirements; and

WHEREAS, an application has been prepared for a Non-Appealable CDP to implement the Project; and

WHEREAS, the Board of Port Commissioners (BPC) finds that said application and attachments contain correct and accurate statements of fact; and

WHEREAS, the BPC has concluded that the Project conforms to the certified PMP and Chapter 8 of the Coastal Act; and

WHEREAS, the BPC considered the non-appealable CDP at the April 11, 2017 BPC meeting; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) statutes and guidelines, the Project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15302 (Replacement or Reconstruction), 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures) and 1304 (Minor Alternation of Land) and Sections 3.a (1), 3.a (3), 3.a (6), 3.a (8), 3.b (2), 3.c (2), and 3.d of the District’s Guidelines for compliance with CEQA

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners (“BPC”) of the San Diego Unified Port District, as follows:

1. The BPC finds the facts recited above are true and further finds that this BPC has jurisdiction to consider, approve and adopt the subject of this Resolution.

2. The Project generally consists of (1) excavating of 950 cubic yards of material on an approximately 68,250 square feet site, with dimensions of approximately 175 feet wide by 390 feet long and creating a level pad; (2) resurfacing of the existing foundations or pouring new concrete foundations to support installation of equipment and overhead roofed structures; (3) demolishing of a small existing bridge used by golf carts for internal circulation and existing building no. 40 used as offices; (4) widening of an internal road used only for

internal operations and converting an existing internal one-way street to a two-way street for use by NASSCO's internal operations only; (5) constructing two roofed structures, the first of which would be approximately 179 feet wide by 324 feet long, with an approximate height of 48 feet at the highest point and the second of which would be approximately 68 feet wide by 108 feet long, with an approximate height of 35 feet at the highest point; and (6) continuing the utilization of the Project site for marine related industrial activities.

3. The Project requires a Coastal Development Permit from the District and is located in the Harbor Drive Industrial Subarea of Planning District 4, Tenth Avenue Marine Terminal, which is delineated on Precise Plan Map Figure 13 of the certified PMP. The land use designation within the limits of the Project site is Marine Related Industrial and shipbuilding operations and associated operations are allowed uses under the Marine Related Industrial land use designation. The Project conforms to the underlying land use designations and precise plan text, and would serve to facilitate implementation of the certified PMP.

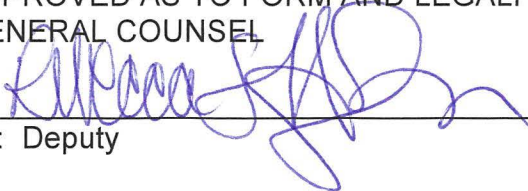
4. The Project site is located between the sea (as defined in the California Coastal Act) and the first inland continuous public road paralleling the sea, is not identified as a wetland, estuary or an existing recreation area on the 1975 Coastal Plan and is fully consistent with Chapter 8 of the California Coastal Act.

5. The Project constitutes "development" under Section 30106 of the California Coastal Act as it will involve the grading, as well as demolition and construction of structures and pursuant to the District's Coastal Development Permit Regulations, the Project has been determined to be a "non-appealable" development because it is not considered an "excluded," "emergency," or "appealable" development. Additionally, pursuant to the California Coastal Act, the proposed development is considered "non-appealable" because it is not the type of "appealable" development listed in Section 30715 of Chapter 8 of the California Coastal Act, which specifies the sole categories of development that may be appealed to the California Coastal Commission.

6. Based on the entire record available to the BPC and the findings set forth in this Resolution, the Executive Director or her designated representative is hereby authorized and directed to issue a Non-Appealable Coastal Development Permit for the "National Steel and Shipbuilding Company Table 9 Extension and Upgrade Project."

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Deputy



2017-046

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 11th day of April, 2017, by the following vote:

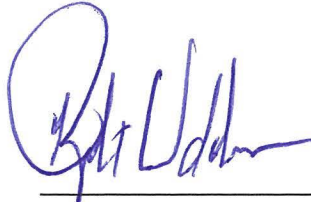
AYES: Moore, Nelson, Castellanos, Malcolm, Merrifield and Valderrama

NAYS: None.

EXCUSED: Bonelli

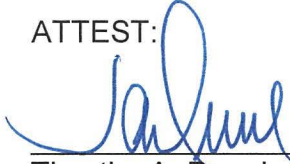
ABSENT: None.

ABSTAIN: None.



Robert Valderrama, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)