CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL

Project: NASSCO Pier 12, Berths III and IV Maintenance and Repair and Berths VII and VIII Bulkhead Repairs
Location: 2798 Harbor Drive, San Diego 92106
Parcel No.: 021-022
Project No.: 2018-224
Applicant: Sara Giobbi, Environmental Manager, General Dynamics-NASSCO, 2798 Harbor Drive, San Diego, CA 92113
Date Approved: March 11, 2020

PROJECT DESCRIPTION

The proposed project would involve repairs, maintenance, and removal at the following existing facilities at General Dynamics-NASSCO (Tenant) in the City of San Diego, California: Pier 12, and Berths III and IV, Berths VII and VIII, and barge launch facility, along with other facility removal. The facility maintenance, repairs, and removal activities proposed by the project would not change or expand the nature or intensity of existing uses at the Tenant’s site.

Pier 12

The project proposes maintenance and repairs to the deck, underdeck, various support piles and replacement of pier fender piles to address deficiencies at Pier 12. The proposed maintenance and repairs are required to restore the pier’s structural integrity. Pier 12 comprises an existing reinforced concrete deck measuring 690 feet long and 37 feet wide with reinforced concrete beams and pile caps supported by a total of 337 piles, including pre-cast concrete piles, concrete-filled steel pipe piles, and steel H-piles. No changes are proposed to the overall configuration or use of the facility. Proposed repairs include the following (See Table 1 for quantities and dimensions):

- Pier 12 Platform A Full Deck Removal and Replacement
  
  Pier 12 is comprised of 5 individual platforms (platform and decks A-E). Work to complete Platform A deck removal and replacement would include removal and replacement of the damaged sections of the platform, including top surface and underside/soffit. The replaced sections would be pre-cast and installed in a configuration matching existing condition. No work below the mean higher high water (MHHW) mark would be required to replace the Platform A slab and soffit. Platform A has a plan-view area of approximately 1,208 square feet, but replacement would occur in the same place as existing and would be like-kind.

- Pier 12 Underdeck Concrete Repairs
  
  Pier 12 underdeck concrete repairs would include concrete patching of degraded or worn areas, and covering with fiber-reinforced plastic fabric to protect against corrosion in areas of degradation.

- Pier 12 Concrete Pile Repairs
  
  Pier 12 concrete pile repairs would include filling cracks with epoxy, removing corroded steel jackets, and installing zinc cathodic protection jackets to all piles. All piles that do not currently have pre-existing steel jackets, signs of delamination, or signs of spalling will receive superficial repairs and a cathodic protection pile jacket.

- Pier 12 Concrete-Filled Steel Pipe Piles Repairs and Pile Jacket Installation
  
  Pier 12 concrete-filled steel pipe piles repairs and pile jacket installation would include the cutting and removal of existing steel piles at the water line where section loss is no longer present, and the installation of a welded/mechanical ring connection, piles, and pile jackets to tie the new pile section to the existing pile section. Sacrificial bulk anodes, which are pieces of reactive metals that prevent erosion due to their higher reactivity would be installed to protect the below-water
that prevent erosion due to their higher reactivity would be installed to protect the below-water portions of the exposed steel. All 145 of the steel piles have been identified as needing repair due to corrosion and deterioration.

- **Pier 12 Steel H-Piles Repairs**

Pier 12 Steel H-Piles Repairs would include the installation of grout-filled cylindrical fiberglass jackets to protect against future corrosion, and the installation of sacrificial bulk anodes would be installed to protect the below-water portions of the exposed steel. Pile size changes due to jacket installation are listed in Table 1.

- **Pier 12 Fender System Pile Removal and Replacement**

Pier 12 fender system pile removal and replacement would include the removal of 52 existing H-piles and three 12-inch-diameter steel pipe piles and associated timber block fendering. The project proposes to install 77 H-piles associated with the new seven H-pile fendering system, and three additional single fender system piles at the western end of the pier. The three 12-inch-diameter steel pipe piles are not proposed to be replaced. The existing fender system piles would be removed with a vibratory hammer, loaded on a barge, and floated to an off-site location for recycling or disposal. The replaced H-piles would be driven using a vibratory hammer to at least 17 feet into the bay floor (schematics for steel H-piles are included in Attachment 4). Following installation of the piles, wood fender block systems consistent with existing fender systems would be installed that extends from the concrete pier to limit damage to vessels that come into contact with the fender system. No changes are proposed to the overall configuration or use of the fender facilities. Minor size changes would occur in three cases where cylindrical pipe piles are to be replaced by H-piles.

The existing fender system piles to be removed occupy a fill area of 11.56 square feet (includes the 52 H-piles and three steel pipe piles). The new piles would encompass a combined area of 13.7 square feet (all 80 newly installed piles). This would result in a net increase in bay bottom impact of 2.1 square feet. However, in total, the project would result in a net decrease of over water coverage and fill area, as shown in Table 1.

**Berths III and IV**

There are currently eight fender pile systems along the north and south sides of Berths III and IV. Berth III consists of 16 existing H-piles. Berth IV consists of 14 existing H-piles. The existing fender pile systems are all Type E and of varying pile orientations. The project proposes to replace all eight of the Type E fender systems with Type C systems. The fender pile system replacement would occur in the same general footprint and have the same orientation. Type E fender pile systems generally consist of two to four fender piles, whereas a Type C system consists of seven fender piles. The project proposes the removal of all 30 existing H-piles that make up the eight Type E fender systems and associated timber block fendering and installation of 56 new H-piles (30 replacement piles and 26 new piles). The existing fender piles would be removed with a vibratory hammer, loaded on a barge, and floated to an off-site location for recycling or disposal. The replaced H-piles would be driven using a vibratory hammer into the existing area of pile disturbance to at least 17 feet into the bay floor for the project. Following installation of the piles, a wood fender block system would be installed extending from the concrete pier to limit damage to vessels that come into contact with the fender system. The area of the replacement wood fender blocks would match the existing condition. Berths III and IV would have seven wood fender blocks placed, one between each of the eight fender systems.

As described above, the existing fender piles will be extracted from and replaced in exactly the same manner with the new piles. Due to the proposed placement of piles, it expected that removal of the existing piles would require minimal work and that pile driving would be minimal, or not required at all, because the piles being replaced are utilizing the existing area of pile disturbance. The existing fender piles to be removed occupy a fill area of approximately 5.13 square feet, the new piles would occupy an area of approximately 9.57 square feet. This would result in a net increase in bay bottom impact of approximately 4.44 square feet. However, in total, the project would result in a net decrease of over water coverage and fill area, as shown in Table 1.
Berths VII and VIII

A survey conducted in September 2016 identified a failing bulkhead system due to deterioration commonly associated with age and the element of constant ocean water interaction with the existing structural system. NASSCO has monitored bulkhead Sections VII and VIII for deterioration and concluded that there is a possibility that the bulkhead in its existing condition may soon deteriorate to a point where it may create conditions for which “a threat to human health, property, or the environment” exists. The bulkhead improvement plan proposes a new structural system of sheet piles, fender system, batter piles, and bulkhead caps to replace the existing failing system.

The proposed alterations to the existing bulkhead would extend 4 feet outside of the existing bulkhead to accommodate the batter pile network. The proposed sheet pile wall would be approximately 379 linear feet and extend 4 feet waterward of the existing bulkhead. This area contains no eelgrass per a September 2019 Baseline Eelgrass Survey conducted by Merkel & Associates. Furthermore, the proposed area of work is in the mostly intensely used water area of the shipyard and is highly trafficked, as it is the corridor adjacent to the drydock, the building dock, and multiple ways. Therefore, the proposed alterations to the existing bulkhead would not alter the existing uses or general condition of the site. The proposed king and batter piles are contained within the area between the existing and proposed sheet pile walls and would not contribute to additional areas of fill.

Best Management Practices and Federal and/or State Permit and Authorizations:

The proposed project would require approvals from the U.S. Army Corps of Engineers and the San Diego Regional Water Quality Control Board. Both approvals are in progress and would be required before commencement of construction. During the project, a silt curtain will be used during pile removal to contain turbidity. The contractor may utilize portions of the pier as lay-down during pile and replacement during pile and fender replacement, these activities will use existing facility stormwater BMPs. In addition, the following BMPs would be implemented:

- Floating debris would be removed from the water and disposed of properly.
- During construction, the contractor would comply with permit conditions imposed by the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and other regulatory agencies.
- Disposal of construction and trash debris into the intertidal zone or nearshore waters would be prohibited.
- All construction-related equipment would be maintained in good-working order to minimize the potential for hazardous waste spills. Current hazardous material spill prevention and cleanup plans would be maintained on site.
- All waste material removed from the project site would be relocated to an approved disposal point.
- The contractor would avoid covering and disturbing any low-relief boulders that may support higher numbers of intertidal organisms, where possible.
- Consistent with California Coastal Act and California Eelgrass Mitigation Policy, a pre-construction eelgrass and Caulerpa taxifolia survey would be performed in the project area 30 to 60 days prior to commencement of proposed repair activities. A post-construction survey would be performed if eelgrass is located during the pre-construction survey.
- Equipment operators and all other project workers would not harass any marine mammals, waterfowl, or fish in the project area.
- A scaffolding system or arrangement of floats will be used for containment of debris from deck and underdeck repairs. Scaffolding will be covered with plywood panels to contain debris, and debris will be removed at end of each shift.
- Cementitious repair material will be placed in dry conditions at available low tides.
- For repairs below ordinary high water, only materials suitable for use in aquatic environments will be used, including, but not limited to, cementitious grout designed to cure underwater and multipurpose marine epoxy grout and binder.
Existing and Proposed Overwater Coverage and Fill

Timber pier demolition, barge launch facility demolition, and removal of miscellaneous facility-wide debris has been incorporated into this project for a net neutral increase in bay fill. The details of these elements are summarized as follows:

**Barge Launch Facility Removal:**
An existing barge launch facility is located between Berths III and IV and V and VI within the NASSCO leasehold. The barge launch facility is composed of four concrete ways, each supported by two 18-inch piles. Each of the ways is approximately 28.74 feet by 2.5 feet in size and has two 18-inch support piles. Two of the ways are in their originally intended position and the remaining two are resting on the bay floor. The two resting ways have a combined area in plan view of approximately 266.1 square feet. In plan view, the four ways combined have an approximate area in contact with the bay floor of approximately 416.9 square feet. The top elevation of the concrete ways is 5.29 feet MHHW and is fully submerged at higher tides. The landside portion of the barge launch facility has been removed and only the waterside portion remains. The derelict barge launch facility located north of Berth IV is proposed for demolition and complete removal, resulting in a net decrease in overwater coverage and fill area, as shown in Table 1.

**Removal of Miscellaneous Facility-Wide Debris:**
A facility-wide diver survey assessing submerged conditions in contact with the bay bottom was commissioned in August 2019 by NASSCO. The three areas with debris – now proposed for removal – are located at Lot 20 (beneath Pier 12), and adjacent to Berths III/IV. NASSCO proposes to remove the debris, resulting in a decrease in fill of 1,600.9 sf, as shown in Table 1.

<table>
<thead>
<tr>
<th>Project Location</th>
<th>Existing Overwater Coverage (sf)</th>
<th>Proposed Overwater Coverage (sf)</th>
<th>Change in Overwater Coverage (sf)</th>
<th>Existing Fill (sf)</th>
<th>Proposed Fill (sf)</th>
<th>Change in Fill (sf)</th>
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</thead>
<tbody>
<tr>
<td>Pier 12</td>
<td>2,420.39 sf</td>
<td>2,510.49 sf</td>
<td>90.1 sf</td>
<td>363.19 sf</td>
<td>580.75 sf</td>
<td>217.56 sf</td>
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<tr>
<td>Berths III and IV</td>
<td>601.66 sf</td>
<td>601.66 sf</td>
<td>0 sf</td>
<td>5.14 sf</td>
<td>9.57 sf</td>
<td>4.44 sf</td>
</tr>
<tr>
<td>Berths VII and VIII</td>
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<td>0 sf</td>
<td>0 sf</td>
<td>0 sf</td>
<td>1,515 sf</td>
<td>1,515 sf</td>
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<tr>
<td>Barge Launch Facility</td>
<td>150.76 sf</td>
<td>0 sf</td>
<td>-150.76 sf</td>
<td>416.9 sf</td>
<td>0 sf</td>
<td>-416.9 sf</td>
</tr>
<tr>
<td>Debris Removal</td>
<td>0 sf</td>
<td>0 sf</td>
<td>0 sf</td>
<td>1,600.9 sf</td>
<td>0 sf</td>
<td>-1,600.9 sf</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>-60.66 sf</strong></td>
<td><strong>Total:</strong></td>
<td><strong>-282.6 sf</strong></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

In July 2019, Anchor QEA prepared a memorandum regarding Essential Fish Habitat Analysis for the U.S. Army Corps of Engineers which states that, “the proposed project does not include repairs within any mapped eelgrass vegetated coverage areas”. Furthermore, the memorandum states that construction would result in “negligible increases in sediment suspension and turbidity,” that, “would not result in significant changes in estuarine ecological functions and would be limited to the brief duration of project construction.” The memorandum cites a July 2018 Baseline Eelgrass Survey conducted by Merkel & Associates for the NASSCO site, and a subsequent Baseline Eelgrass Survey.
was conducted by Merkel & Associates in September 2019. These eelgrass surveys substantiated the memorandum’s conclusion that “no eelgrass was identified within proximity to the work on Berths III and IV.” Furthermore, the surveys show that there are no eelgrass beds within proximity to the work on Berths VII and VIII. While there are eelgrass beds in the general vicinity of Deck E of Pier 12, there is no eelgrass within the project footprint and the construction methods (which does not propose any in-water work that could impact eelgrass), and best management practices would not result in an impact to eelgrass. The memorandum and surveys are available with the Development Services Department at the San Diego Unified Port District, located at 3165 Pacific Highway, San Diego, CA 92101.

Based on the frequency of vessels coming in and out of the active marine terminal area and the anticipated level of noise generated from limited and temporary proposed project related in-water pile driving activities, underwater noise from vessels moving in and out of the bay and the existing active marine terminal area would be comparable to the temporary underwater noise generated from project related in-water pile driving activities. The movement of vessels within the existing marine terminal area would mask the project-related pile driving sound because project-related pile driving sound would generate the same or less amplitude than typical vessel noise for those in the active marine area.

It is anticipated that construction of the project would occur in early 2020 and would take approximately nine months to complete. There would be no change in the number of employees, customers, or visitors per day as a result of the project. All pile debris would leave NASSCO via barge, and all other debris would leave NASSCO via truck. Truck trips for the implementation for the project would be for deliveries and labor and materials transport consisting of approximately one to two daily round trips over the duration of the project. Therefore, implementation of the proposed project would generate a minor amount of additional vehicle trips, and in turn, would not result in any significant impacts related to air quality, greenhouse gas emissions, noise, traffic or other California Environmental Quality Act (CEQA) resource areas. Any trucks that are needed to transport materials to the site and/or transport remnants/debris offsite to the appropriate landfill, would adhere to the existing truck route for the project site, which prohibits trucks over five tons from traveling on many streets within the Barrio Logan community. Furthermore, the applicant would be responsible for complying with all applicable federal, state and local laws regulating hazards, and hazardous materials and stormwater.

Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Applicant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

The following categorical determinations are based on the project submittal and all project information known to the District as of the date of this determination.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

**CATEGORICAL DETERMINATION**

Categorical Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; and SG §15302, Class 2/Section 3.b: Replacement or Reconstruction

3.a. Existing Facilities (SG § 15301) (Class 1): Includes operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

1. Repair, maintenance or minor alteration of existing mooring facilities, floats, piers, piles, wharves, bulkhead, revetment, buoys, or similar structures; marine terminal facilities; airport facilities; and commercial industrial, or recreational facilities.

AND/OR

3.b. Replacement or Reconstruction (SG § 15302) (Class 2): Includes replacement or reconstruction
of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced. This exemption includes, but is not limited to:

(1) Replacement or reconstruction of mooring facilities, piles, floats, piers, wharves, marine ways, bulkhead, revetment, buoys, or similar structures where the new structure will be on essentially the same site as the structure replaced and will have substantially the same size, purpose and capacity as the structure replaced.

AND/OR

(2) Replacement or reconstruction of marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, piles, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; electrical and mechanical systems and equipment; where the new structure will be on essentially the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Sections of the District's Guidelines for Compliance with CEQA as identified above. These are appropriate for the proposed project because it would consist of repairs and maintenance to existing piers and berths at an existing shipbuilding yard and would involve no expansion of use beyond that previously existing, would consist of the replacement of existing facilities, would be located on the same site as the structures replaced, and would have substantially the same purpose and capacity. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Pursuant to CEQA Guidelines Section 15062, a 35-day statute of limitations for this CEQA exemption would apply from the date a Notice of Exemption is posted with the San Diego County Clerk, or a 180-day statute of limitations for this CEQA exemption would apply if no Notice of Exemption is filed.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN CONSISTENCY

Planning District: 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13)

Land Use Designation: Marine Related Industrial and Specialized Berthing

The proposed project conforms to the certified Port Master Plan because it would consist of repairs and maintenance to existing piers and berths at an existing shipbuilding yard, consistent with the existing certified Land and Water use designations. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming use of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; and Section 8.b: Replacement or Reconstruction

8.a. Existing Facilities: The operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

(10) Repair, maintenance, or minor alteration of existing mooring facilities, floats, piers, bulkhead, revetment, buoys, or similar structures.

AND/OR

8.b. Replacement or Reconstruction: Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.
(3) Replacement, stabilization, or reconstruction of mooring facilities, floats piers, bulkhead, revetment, shoreline protection, buoys, or similar structures.

The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District's Coastal Development Permit Regulations as identified above. These are appropriate for the proposed project because it consist of repairs and maintenance to existing piers and berths at an existing shipbuilding yard and would involve no expansion of use beyond that previously existing, would be located essentially on the same site as the structure replaced, and would have substantially the same purpose and capacity as the structure replaced.

Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

CALIFORNIA PUBLIC TRUST DOCTRINE

The proposed project complies with Section 87.(a)(1) of the Port Act, which allows for the establishment, improvement, and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

RANDA CONIGLIO
President/CEO

Determination by:
Juliette Orozco
Associate Planner
Development Services

Signature: __________________________
Date: 3/11/2022

Signature: __________________________
Date: __________________________