

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

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**Amendment No. 1 to Clean Water Act Section 401  
Water Quality Certification No. R9-2016-0145**

**PROJECT: Berths V and VI Fender System  
Replacement Project  
Certification Number R9-2016-0145  
WDID: 9 000003062**

Reg. Meas. ID: 406620  
Place ID: 825139  
Party ID: 531893  
Person ID: 440438562952

**APPLICANT: General Dynamics NASSCO  
2798 Harbor Drive  
San Diego, CA 92113**

On October 20, 2016, Clean Water Act Section 401 Water Quality Certification No. R9-2016-0145 (Certification) was issued to General Dynamics NASSCO (Applicant) for the Berths V and VI Fender System Replacement Project (Project).

By letter dated December 8, 2017, Amec Foster Wheeler, on behalf of the Applicant, requested the Certification be amended to include the like for like replacement of 49 piles and 3 wooden fenders at Berth II and an updated project schedule for Berth VI.

Based on the Applicant's request, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the Certification to include the like for like replacement of 49 piles and 3 wooden fenders at Berth II and an updated project schedule for Berth VI. Except as modified or superseded by the Certification modifications set forth below, all of the findings, provisions and other requirements of Certification No. R9-2016-0145 remain in full force and effect. The following changes are made to Certification No. R9-2016-0145 and are shown in underline/strikeout format to indicate added and removed language:

**Page 1, PROJECT DESCRIPTION is modified as follows:**

The Project is located within the City of San Diego, San Diego County, California at 2798 Harbor Drive, San Diego, CA 92113. The Project center reading is located at latitude 32.68652 and longitude -117.13558 for Berths V and VI, both located on support Pier IV. Berth II is located at latitude 32.68652 and longitude -117.13897. The Applicant has paid all required fees for this Certification in the amount of \$1,785.00 and \$1,500.00 for Amendment No. 1. On July 27, 2016, the San Diego Water Board provided public notice of the Project application pursuant to California Code of Regulations, title 23, section 3858 by posting information describing the Project on the San Diego Water Board's web site and providing a period of twenty-one days for public review and comment. No comments were received.

**Page 2-3, PROJECT DESCRIPTION is modified as follows:**

The Applicant proposes the like for like replacement of 61 steel H-piles at Berth V, totaling 10.42 square feet of occupied area, and 68 steel H-piles at Berth VI, totaling 11.62 square feet of occupied water area, and 49 steel H-piles at Berth II, totaling 8.37 square feet of occupied water area. The purpose of the Project is to improve the safety of mooring large vessels. The replacement of the steel H-piles requires the use of a vibratory hammer, which emits a relatively low continuous sound level as compared to the louder impulsive sound level emitted by an impact pile driving hammer. The total area of the footprint of each H-pile is 24.6 square inches; each pile will be driven to at least 17 feet into the bay floor. A silt curtain will be deployed prior to activity around the Project area to trap sediment that may become suspended as a results of the pile driving. The purpose of the silt curtain is to provide sediment containment while construction activities are occurring and avoid the release of a turbidity plume. All materials will be barged and will remain on the barge for storage and staging for the entirety of the Project.

The Applicant will bolt each of the pilings to a wood fender that extends from the concrete support pier. Berth V will also have 9 wood fenders with 4 steel plates replaced in a like for like manner, and Berth VI will have 10 wood fenders with 4 steel plates replaced in a like for like manner, and Berth II will have 7 wood fenders with 3 steel plates replaced in a like for like manner. Overall, this Project will not add length or width to the current pier structures and will result in no overall net change of occupied water within San Diego Bay. Berths V and VI share a support pier that is 70 feet wide and 900 feet in length, built around 1974. Berth II is located on a support pier that is 65 feet wide and 470 feet in length, located approximately 500 feet north of Berths V and VI. The water depth at Berths V and VI ranges from approximately -24 feet mean lower low water (MLLW) to -42 feet MLLW and the water depth at Berth II ranges from approximately -26 feet to -34 MLLW. At Berth V, the farthest east that a pile will be driven is 224 feet from the quay wall. At Berth VI, the farthest east that a pile will be driven is 234 feet from the quay wall. At Berth II, the piles closest to land will be driven at approximately 100 feet east from the quay wall.

Construction-related turbidity impacts in San Diego Bay waters will be limited to short-term and localized turbidity increases in the water column associated with re-suspension of bottom sediments from vibratory pile driving and barge and tug operations, such as anchoring and propeller wash. These turbidity increases would be spatially limited to the construction site and areas immediately adjacent that may be impacted by re-suspended bottom sediments. The underwater vibratory pile driving will also disrupt benthic habitats and organisms, directly

through removal or burial, or indirectly through effects related to the disturbance of bottom sediments. During pile installation, benthic organisms within the pile footprint would be lost or buried as the piles are hammered into the bay bottom substrate. Any nearby fish, marine mammals or sea turtles could also be affected by noise and vibration from pile installation equipment. The Project area does not contain sea turtle habitat. The Project area does not contain sea turtle habitat. A bay-wide eelgrass survey conducted in 2014 indicates that no eelgrass exists within the Project site. A pre-construction eelgrass survey conducted on July 30, 2016 verified that no eelgrass exists within the Project site.

Project construction will permanently impact 0.001 acre (~~132.2 linear feet~~)(182.4 linear feet) of waters of the United States and/or State as a result of the replacement of habitat once occupied by benthic organisms with project infrastructure. The Applicant reports that the Project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impacts to aquatic resources considering all potential practicable alternatives, such as the potential for alternate available locations, designs, reductions in size, configuration or density. Turbidity increases in the water column during construction activities is not expected to last long and thus the impact should be temporary and less than significant. The Applicant proposes to implement BMPs, including the deployment of silt curtains to contain re-suspended sediment and turbidity within the area of pile installation, to ensure that impacts attributable to the Project will not violate applicable water quality standards. To further reduce potential impacts from increased turbidity, this Certification requires the Applicant to conduct visual observations and water quality monitoring at the Project site during construction activities. Benthic community impacts will be limited to the immediate area of disturbance. The impact footprint of the Project is small and should be offset to some extent by benthic species re-colonization following completion of the Project. Given the short duration and nature of the low level noise emitted by the vibratory hammer during pile driving, Project noise impacts to fish, marine mammals or sea turtles are expected to be negligible. The proposed Project is a Class 2 project under the California Environmental Quality Act (CEQA) that replaces existing structures located on the same site and will have substantially the same purpose and capacity as the structures being replaced. The Project has been determined not to have a significant effect on the environment and is, therefore, categorically exempt from the requirements of CEQA. Compliance with the Certification conditions will protect the beneficial uses of the waters of San Diego Bay in conformance with *the Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan).

Berth V project activities are scheduled to begin in October of 2016 and be completed by November 18, 2016. Berth VI project activities are scheduled to begin in ~~early October 2017 and be completed by November 24, 2017~~ on April 24, 2018, and will continue for approximately five weeks. Berth II project

activities are scheduled to begin in April 2019, and are expected to last approximately four weeks.

**Pages 11-12, Section IV. PROJECT IMPACTS AND COMPENSATORY MITIGATION, Condition B. is modified as follows:**

**B. Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to San Diego Bay may not exceed the type and magnitude of impacts described in the table below.

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated: area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated :linear feet impacted)
<b>Permanent Impacts</b>						
<u>Wetland San Diego Bay</u>	0.001 <sup>1</sup>	<del>132.2</del> 182.4 <sup>1</sup>	N/A <sup>42</sup>	N/A <sup>42</sup>	<del>0</del> N/A <sup>42</sup>	N/A <sup>42</sup>

<sup>1</sup>Total permanent impacts of 0.001 acre from fill of waters of United States and/or State from in-kind replacement of H-piles include 0.0002 acre (10.42 square feet; 62.5 linear feet) at Berth V, 0.0003 acre (11.62 square feet; 69.7 linear feet) at Berth VI, and 0.0002 acre (8.37 square feet; 50.2 linear feet) at Berth II.

<sup>42</sup>Compensatory mitigation is not required for this Project because impacts, while permanent, will not have a significant effect on San Diego Bay resources. Benthic community impacts will be limited to the immediate area of disturbance. The impact footprint of the Project is small and should be offset to some extent by benthic species re-colonization following completion of the Project.

**Attachment 2. Project Location Maps, the cover page is modified as follows and the attached Figure 3 is added to end of Attachment 2:**

**ATTACHMENT 2  
 PROJECT LOCATION MAPS**

- Figure 1 – Project Location Regional Map
- Figure 2 – Project Location Overview Map
- Figure 3 – Project Map

**Attachment 3. Project Site Plans, the cover page is modified as follows and the attached Figure 8 is added to end of Attachment 3:**

**ATTACHMENT 2  
PROJECT LOCATION MAPS**

- Figure 3 – Fender Pile Replacement Schematic for Berths V and VI
- Figure 4 – Wood Fender and Steel Plate Placement for Berths V and VI
- Figure 5 – Eelgrass Distribution around General Dynamics, NASSCO as of 2003
- Figure 6 – Support Pier Dimensions at Berths V and VI
- Figure 7 – Bathymetric Data for Berths V and VI
- Figure 8 – Piles Replacement Schematic for Berths II

**Notification:** Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification Amendment. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Amendment No. 1 to Certification No. R9-2016-0145 issued on November 29, 2018.

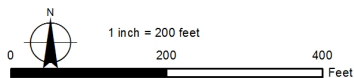
  
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DAVID W. GIBSON  
Executive Officer  
San Diego Water Board

29 November 2018  
Date

**401 Certification Amendment Request Attachment**  
General Dynamics NASSCO  
Fender System and Pile Replacement at Berth II Project Description

**Figure 3. Project Map.**

*Note: Amendment request pertains to Berth II only*



**Project Site Map**  
**Fender System Replacement at Berth II**  
**at General Dynamics NASSCO**  
**San Diego, California**

**Figure 8. Pile Replacement Schematic for Berth II.**

