

CALIFORNIA COASTAL COMMISSION

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W5b

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180th Day: 10/2/13
Staff: D. Lilly-SD
Staff Report: 5/20/13
Hearing Date: 6/12/13

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-13-20

Applicant: San Diego Unified Port District

Agent: Lesley Nishihira

Location: 960 North Harbor Drive, Navy Pier, San Diego, San Diego County

Project Description: Demolition of the existing fender systems at the west end and south side of Navy Pier and replacement with a new fender system on the west end only.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The proposed project is the demolition of the existing fender system at the west and south side of Navy Pier and replacement of an upgraded system on the west end. No fender replacement is proposed on the south side at this time, as the USS Midway aircraft carrier is permanently moored on the south of Navy Pier, reducing the need for pier protection. The existing fender system on the west and south is severely deteriorated and does not provide protection for the pier. Major Coastal Act issues associated with this project include potential impacts to biological resources, water quality, and public access. However, the project has been designed such that all impacts to sensitive biological resources in the bay will be avoided, water quality impacts will be avoided or mitigated, and only minor, temporary impacts to public parking will result. Therefore, Commission staff recommends **approval** of coastal development permit application 6-13-20 as submitted.

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EXHIBITS

Exhibit 1 – Location Map

Exhibit 2 – West End Pier Plan

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I. MOTION AND RESOLUTION

The staff recommends the Commission adopt the following resolution:

Motion:

*I move that the Commission **approve** the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. STANDARD CONDITIONS.

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The proposed project is demolition of the entire fender system at both the west end and south side of Navy Pier, and replacement of the fender system on the west end only. Navy Pier is located just south of the terminus of Broadway, in downtown San Diego. It is adjacent to the USS Midway Museum and provides access to and parking for the Midway. Although the Pier is now owned and maintained by the San Diego Unified Port District, because it was historically under Navy ownership, the Navy Pier is not included

in the certified Port Master Plan, and thus, falls within the Commission's permit jurisdiction.

The function of a fender system is to cushion a wharf from the impact of ships and prevent a dock from being damaged during mooring or berthing periods. The fender system also protects the outer row of load bearing dock piles, as well as protecting the hulls of ships from abrasion. Fender piles are not part of the structural support of the wharf.

At the west end of Navy Pier, the Port has indicated that all 46 existing fender timber piles are severely deteriorated or completely broken due to severe attacks by marine borers. As a result, the wale system (horizontal beams) is broken due to the lack of support caused by the broken piles. Thus, the entire system will be removed and replaced. On the south side of Navy Pier, all 139 fender piles are also severely deteriorated or broken, and the entire fender system will be demolished and removed. However, since the U.S.S. Midway aircraft carrier is permanently moored on the south side of the Pier, the Port has indicated that there is no urgent threat to the dock or the Midway, and thus, there is no need to replace the fender system in this location at this time. However, the Port has also indicated that the Midway may apply for some type of fender system in the future.

Specific work required to repair and demolish the fender systems will include the following:

Navy Pier West End

- Removal and disposal of the entire fender system, including 46 deteriorated or broken timber piles and pile stubs, timber wales and chocks totaling 250 feet in length, and mounting hardware;
- Salvage of reusable timber wales, chocks, and rubber fenders;
- Installation of 18 new pre-stressed concrete piles measuring 50 feet in length and 16 inches in diameter;
- Installation of six foam filled marine fenders, steel wales, and hardware;
- Installation of two new corner rubber fenders; and
- Installation of two new fiberglass ladders.

Navy Pier South Side

- Removal and disposal of the entire fender system, including 139 deteriorated or broken driven timber piles and pile stubs, timber wales and chocks totaling 925 feet in length, and mounting hardware;
- Salvage of reusable wales, chocks, and rubber fenders; and
- Installation of five new fiberglass ladders.

The proposed new fender system has been designed to be durable and be resistant to attacks from marine borers. The new fender system will consist of coated steel wales, pre-stressed concrete piles, rubbing strips on the piles, and foam filled marine fenders. The new wale and pile system will sufficiently support the impact load from vessels. The

rubber strips to be installed on piles will reduce the friction between the piles and marine fenders when marine fenders move up and down due to the tide movement. The foam filled marine fenders will also absorb the energy created by the impact load from vessels and distribute the load, eliminating the load concentration on individual piles.

A similar fender system was installed on the south side of B Street Pier last year. The Port District has indicated that these types of fenders have been tested and used successfully for many types of installations for many years; for example, the bigger foam filled marine fenders have also been used for the fender system at the cruise ship mooring locations at B Street Pier for 9 years and are still in good shape. The proposed materials and products have a 10 year minimum manufacturer's warranty, and the District has an inspection and maintenance program to replace any deteriorated fender components to ensure that no broken materials enter the water.

Work to remove/replace and demolish the fender systems on the Navy Pier will be conducted both land-side from the pier and water-side with the use of a temporary barge. Construction for the west end and south side will each take approximately 90 days, for a total construction duration of approximately 6 months.

A bay-wide eelgrass survey conducted in 2011 and submitted by the Port indicates that no eelgrass exists within the project footprint. Due to the depth of bay floor at the Navy Pier, eelgrass is unlikely to exist at the project site. The existing fenders comprise approximately 258 square feet of overwater coverage, whereas the proposed fender replacements on the west end of Navy Pier will cover only 32 square feet, resulting in a net reduction of approximately 226 square feet of overwater coverage. All work proposed in and above water is covered under an existing U.S. Army Corps of Engineer (ACOE) Regional General Permit. In accordance with the requirements of the ACOE permit, no work will be performed during the California Least Tern nesting season from April 1 to September 15. The proposed project will also implement best management practices (BMPs) including the use of a silt curtain during project construction, as well as stormwater BMPs.

Construction of the proposed project will be conducted via both land- and water-side. For work being conducted land-side from the pier, several parking spaces located along the west end of the Navy Pier will be required to accommodate project construction and staging. As proposed, total of 24 parking spaces located along the west end of the Navy Pier will be temporarily unavailable to the public during construction of the proposed project; the parking spaces will be unavailable for approximately 3 months during demolition and construction of the west end and 3 months during demolition of the south side. As there are approximately 386 parking spaces on Navy Pier serving the Midway and visitors to the Embarcadero, the temporary loss of 24 spaces is not expected to adversely impact public access or recreation. No closures along Harbor Drive will be required for transporting materials. In addition, the Port is expecting to begin work on the west end in late September 2013, and begin work on the south side in late September 2014, so the peak summer tourist season will be avoided.

The standard of review for the project is the Chapter 3 policies of the Coastal Act.

B. BIOLOGICAL RESOURCES

Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized. Section 30233 limits development in open coastal waters, wetlands, estuaries, and lakes to specific permitted uses where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects.

The proposed development is a repair to a public recreational pier that provides public access and recreational opportunities as permitted under Section 30233. The project will not have an adverse impact on any sensitive habitat, and will not result in erosion or adverse impacts to water quality. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

C. PUBLIC ACCESS/PARKING

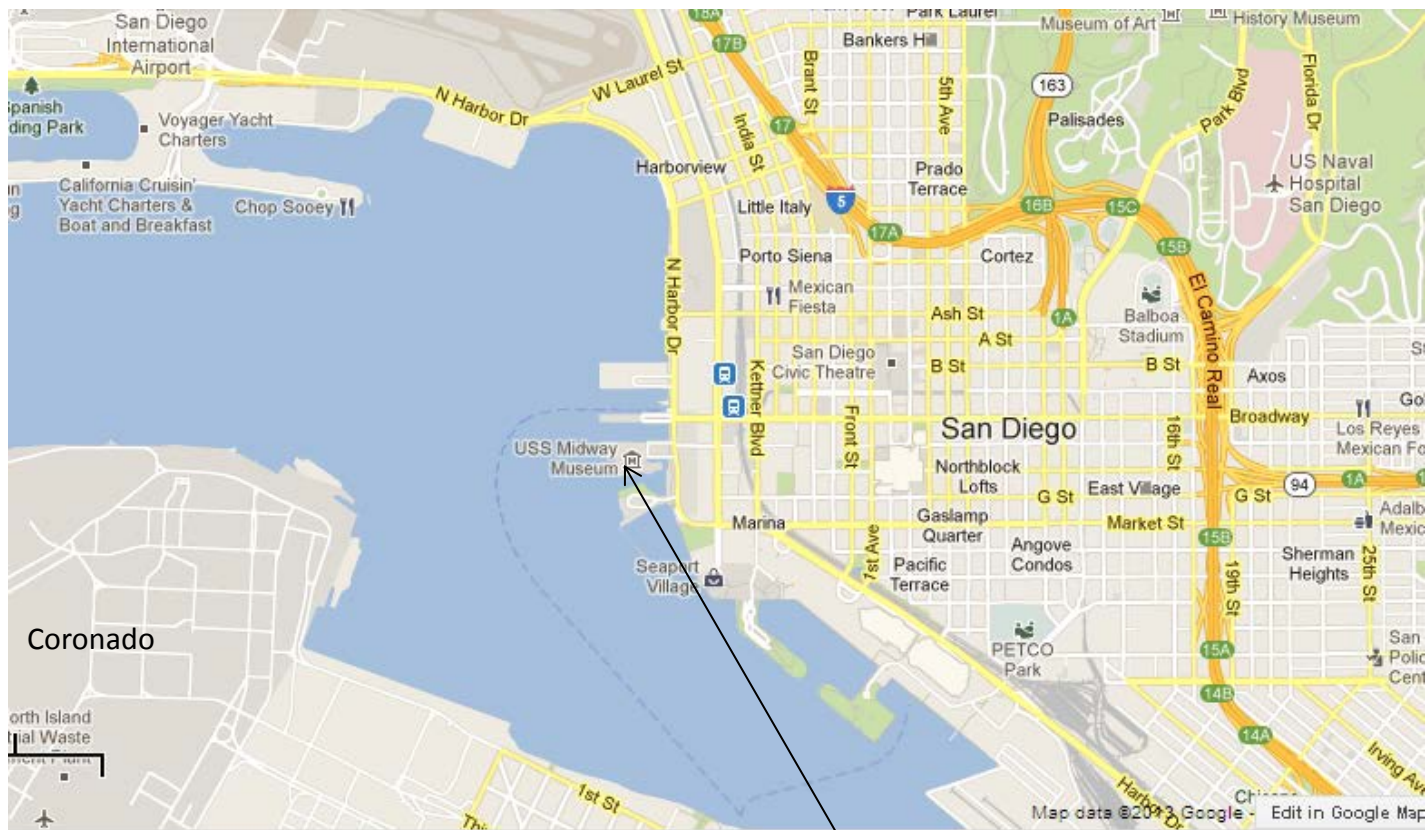
As conditioned, the proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. As conditioned, the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

D. LOCAL COASTAL PLANNING

The subject site is not covered in the Port of San Diego certified PMP at this time. Thus, the Coastal Commission retains permit jurisdiction on this site and Chapter 3 of the Coastal Act remains the legal standard of review. As proposed, the development is consistent with Chapter 3 of the Coastal Act. Approval of the project will not prejudice the ability of the local government to prepare a Port Master Plan that is in conformity with the provisions of Chapter 3.

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT

There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.



Site

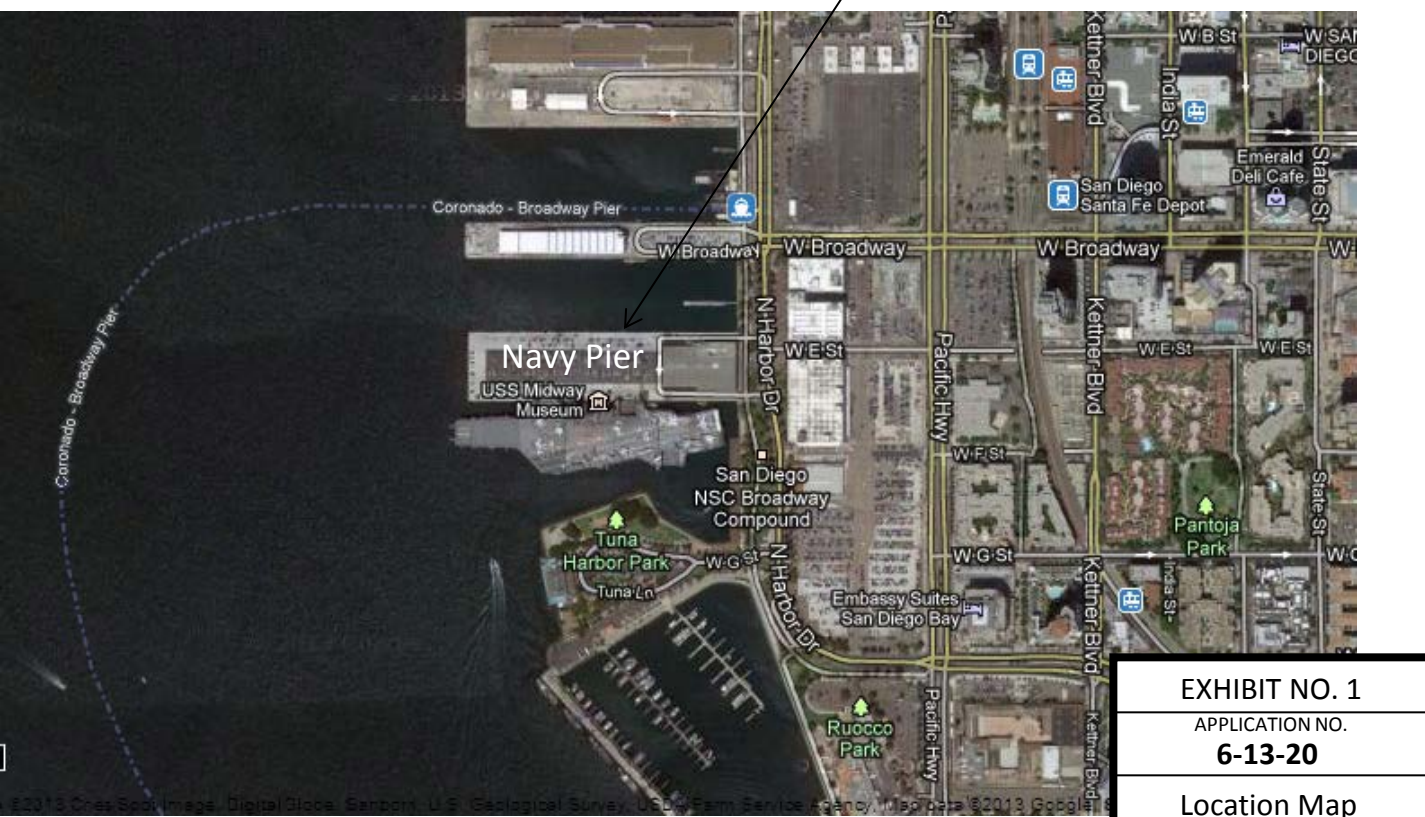

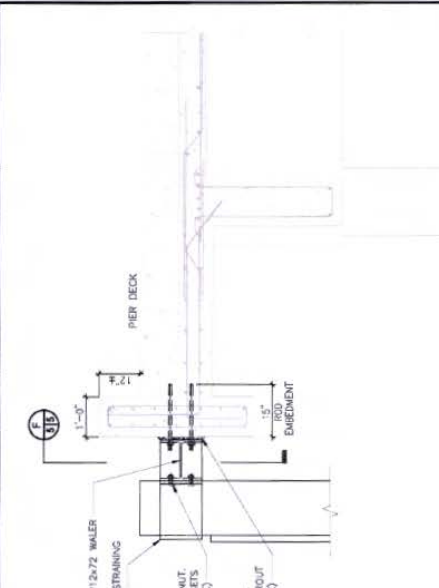
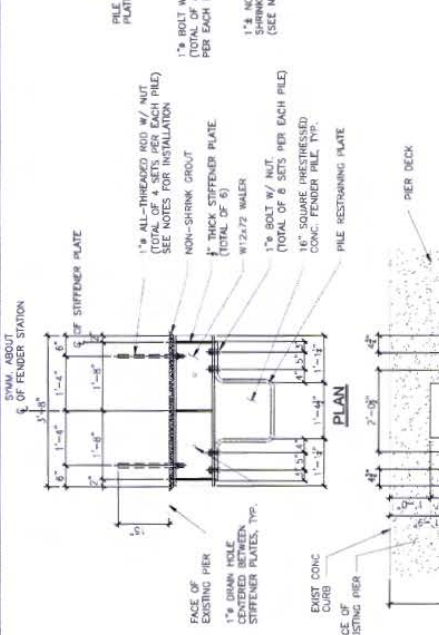
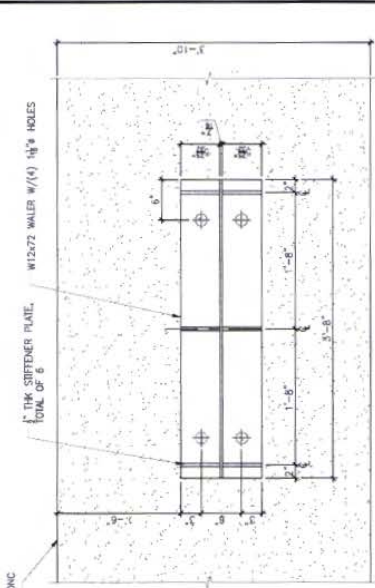


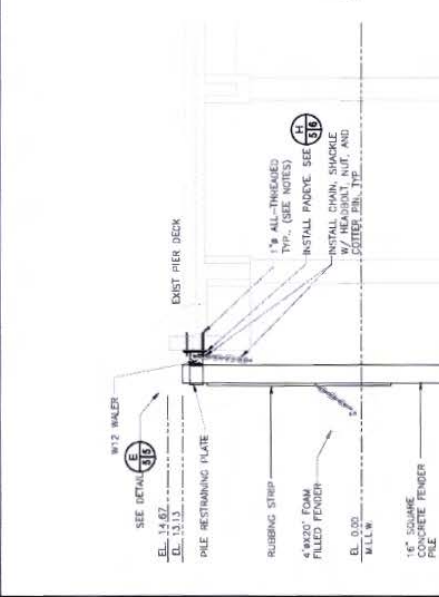
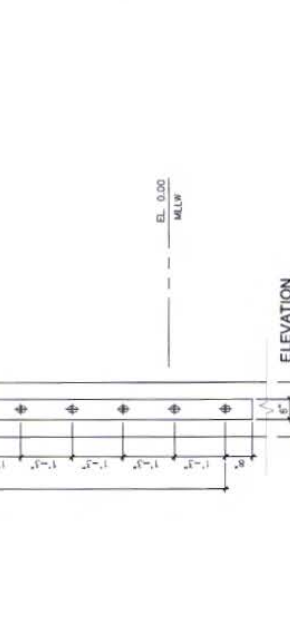
EXHIBIT NO. 1
APPLICATION NO. 6-13-20
Location Map
 California Coastal Commission



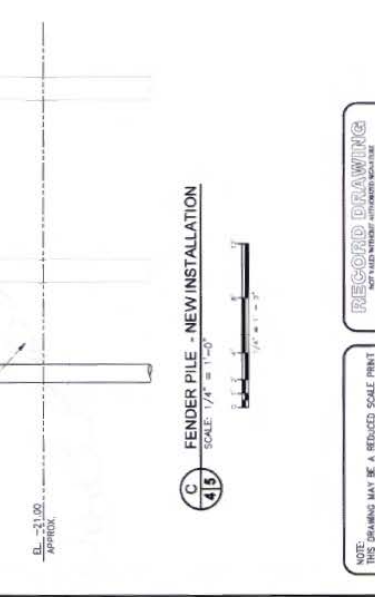
- NOTE:
1. DRILL HOLE WITH ANNUAL SPACE AROUND ANCHOR ROD NOT TO EXCEED 1/2" TO 3/4" DEEPER THAN DIMENSION AS SHOWN.
 2. INSTALL ANCHOR ROD WITH EPOXY RESIN PER SPECIFICATION.
 3. INSTALL NUT FRINGER TIGHT AND ROTATE NUT 1/2 TURN FROM THE SLAG POSITION.
 4. COAT THREADS OF BOLTS AND RODS PRIOR TO INSTALLING WASHERS AND NUTS. REPEAT THREADS PROTECTION BEYOND NUT AFTER TORQUING.



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San Diego Unified San Port District California

EXHIBIT NO. 2
APPLICATION NO. 6-13-20
West End Pier Plan

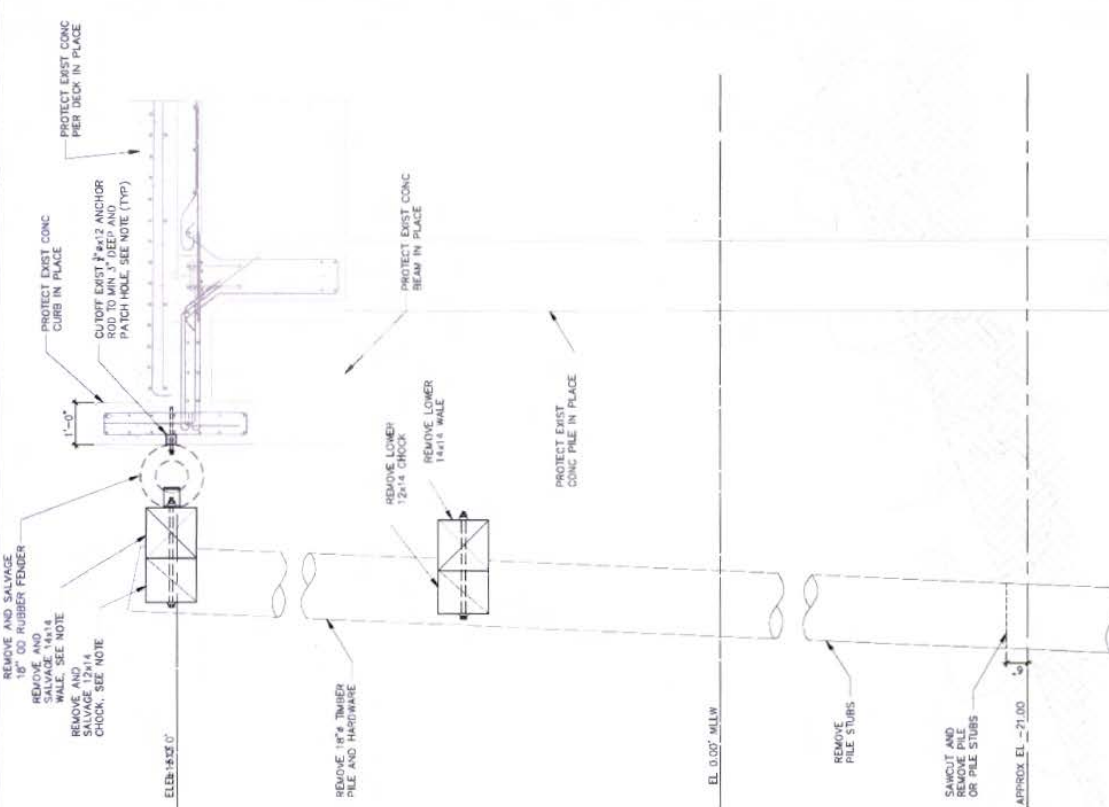
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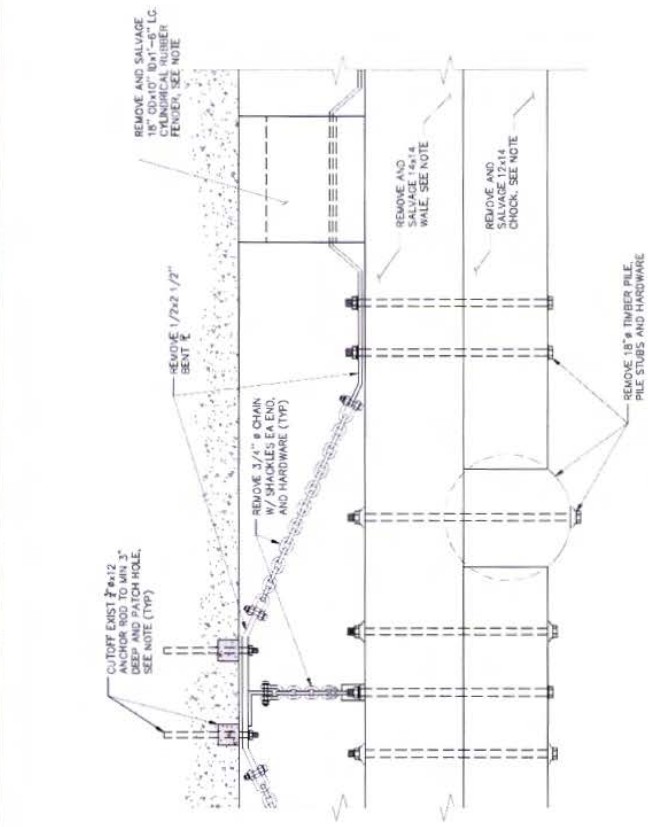
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2293

NAVY PIER WEST-END FENDER PILE & WALER REPAIR
NEW FENDER SYSTEM - INSTALLATION DETAILS



C
34519
 DETAIL
 SCALE 3/4" = 1'-0"



B
34516
 FENDER REMOVAL DETAIL - PLAN VIEW
 SCALE 1/2" = 1'-0"

RECORD DRAWING
 NOT VALID WITHOUT APPROVED REVISIONS
 REVIEWED BY: _____ DATE: _____
 DATE: _____

EXHIBIT NO. 3
 APPLICATION NO.
6-13-20
South Side Demolition
 Plan

San Diego Unified
San Port District
 San Diego, California

PROJECT NO.	DATE	SCALE	BY	CHECKED
2284	JUN 23, 2013	3/4" = 1'-0"		
NAVY PIER SOUTH-END FENDER PILE & WHALER DEMOLITION				
FENDER REMOVAL DETAILS				