

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



Th20a

6-16-0258 (SAN DIEGO UNIFIED PORT DISTRICT)

MAY 11, 2017

EX PARTE FORMS

From: Dick Goldman [rhgoldman@hotmail.com]
Sent: Wednesday, April 26, 2017 11:10 PM
To: Cox, Greg@Coastal
Subject: Fwd: Navy Building 11A

Greg: Pls get Commission approval and a demand to whomever is responsible for the demolition of Building 11A on the Navy Pier in San Diego. Thanks and see below for on-going discussion. As I understand it the terms of the CC approval for the Midway included this stipulation. Unfortunately I will be out of the country we the Commission meets on 11 May.

Dick

Begin forwarded message:

From: Kristine Love <klove@portofsandiego.org>
Date: April 26, 2017 at 5:34:47 PM PDT
To: "rhgoldman@hotmail.com" <rhgoldman@hotmail.com>
Cc: CustomerServiceCenter <customerservicecenter@portofsandiego.org>
Subject: RE: Navy Building 11A

Mr. Goldman,

Thank you for your interest in the project to remove Building 11A on Navy Pier. The Port currently has it as an agenda item on the California Coastal Commission's upcoming meeting on May 11th to be held at the County Administration Offices on Pacific Highway. The public is welcome to attend. The meeting starts at 8:30am, but I do not know when this item will be heard.

We cannot demolish the building without the Coastal Commission's approval via a Coastal Development Permit (CDP), and we do hope to receive it soon so that we can get the plans for its removal in process. I understand from the emails below that you have also reached out directly to the USS Midway Museum. They are in support of its removal too. Thank you for your interest in this project.

Sincerely,

Kristine Love | Department Manager, Parking@ The Port

PORT OF SAN DIEGO

3165 Pacific Highway • San Diego, CA 92101

From: Dick Goldman [<mailto:rhgoldman@hotmail.com>]
Sent: Saturday, April 22, 2017 1:31 PM
To: CustomerServiceCenter
Subject: Fwd: Navy Building 11A

Could you have the staff explain to me why the Port and the Coastal Commission don't jointly tell the Midway to demolish Building 11A now. Never mind all the other plans, just remove that eyesore as promised/negotiated many, many years ago.

Begin forwarded message:

From: Scott McGaugh <smcgaugh@MIDWAY.ORG>

Date: April 22, 2017 at 1:23:15 PM PDT

To: Dick Goldman <rhgoldman@hotmail.com>

Subject: Re: Navy Building 11A

Midway's submitted conceptual plan for the pier a few years ago was put on hold by Coastal and Port, as the Port began updating its master plan for the North Embarcadero. As I understand it, the master plan update is not yet finalized. As that process continues, Midway, the Port, and Coastal Commission are working together to develop a plan for Building 11 removal that reflects Midway and neighborhood requirements.

From: Dick Goldman <rhgoldman@hotmail.com>

Sent: Saturday, April 22, 2017 1:15 PM

To: Scott McGaugh

Subject: Re: Navy Building 11A

Any progress getting rid of Navy Building 11A?

> On Nov 11, 2013, at 10:37 AM, Scott McGaugh <smcgaugh@MIDWAY.ORG> wrote:

> Dick,

> More than a year ago Midway submitted a Navy Pier redevelopment plan (including removal of Navy Building 11A) to the Port of San Diego. We have yet to receive approval as Midway's proposal now is being reviewed as part of the Port's much larger North Embarcadero plan update process. We, too, would like to remove the building...but it has to be part of the Navy Pier plan that requires approval by the Port and California Coastal Commission.

>

> Thanks for your interest,

>

> Scott McGaugh

> Marketing Director

> USS Midway Museum

>> On 11/9/13 4:14 PM, "Webmaster" <Webmaster@MIDWAY.ORG> wrote:

>>

>> First Name: Dick

>> Last Name: Goldman

>> Address Line 1: 745 W G Street

>> Address Line 2:

>> City: San diego

>> State: California

>> Zip: 92101

>> Email: rhgoldman@hotmail.com

>> Phone: 619-255-2892

>> Comments: I would like to know 1. when Midway is going to demolish that ugly garage used for parking and 2. when Midway will live up to its agreement with the Port and Coastal Commission? Thanks

>> Would you like to receive news about the USS Midway Museum? No

>> The results of this submission may be viewed at:

>> <http://www.midway.org/node/59/submission/11601>

EX PARTE COMMUNICATION DISCLOSURE FORM

RECEIVED
APR 26 2017

Filed by Commissioner: Greg Cox

- 1) Name or description of project: Application No. 6-16-0258 (San Diego Unified Port District Navy Pier Parking)
- 2) Date and time of receipt of communication: Tuesday, April 18, 2017, 3:30 p.m.
- 3) Location of communication: 1600 Pacific Highway, Room 335, San Diego, CA
- 4) Identity of person(s) initiating communication: Ben Haddad
- 5) Identity of person(s) on whose behalf communication was made: USS Midway Museum
- 6) Identity of persons(s) receiving communication: Greg Cox, Victor Avina
- 7) Identity of all person(s) present during the communication: Greg Cox, Victor Avina, Ben Haddad, Christopher Neils, Mac MacLaughlin

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

On Tuesday, April 18, 2017, at 3:30 p.m., my staff member Victor Avina and I met with the individuals listed above. The group shared that the Navy Pier project is not part of the San Diego Unified Port District Master Plan and therefore is under the jurisdiction of the Coastal Commission. They said that the environment surrounding the Navy Pier in San Diego has undergone, and will continue to undergo, major changes since the original issuance of the original CDP. As such, they are advocating for a solution that takes a holistic approach to deciding the future of the Navy Pier and that considers the changing landscape surrounding the Pier. They shared that they are working on an alternate set of special conditions tied to this coastal development permit application that would link the Pier into the Port Master Plan; they did share nor leave behind any physical documents with those alternate special conditions.

4/25/2017
Date



Signature of Commissioner

TIMING FOR FILING OF DISCLOSURE FORM: File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication. This form may be filed with the Executive Director in addition to the oral disclosure.

RECEIVED
NOV 21 2016

EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Greg Cox

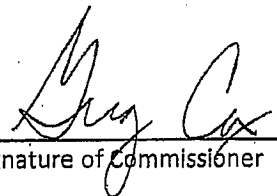
- 1) Name or description of project: CDP Application #6-16-0258
- 2) Date and time of receipt of communication: Monday, November 14, 2016, 1:00 p.m.
- 3) Location of communication: Telephone
- 4) Identity of person(s) Initiating communication: Job Nelson
- 5) Identity of person(s) on whose behalf communication was made: Unified Port of San Diego
- 6) Identity of persons(s) receiving communication: Greg Cox, Victor Avina
- 7) Identity of all person(s) present during the communication:

Greg Cox, San Diego County Supervisor, District 1
Victor Avina, Policy Advisor, Office of Supervisor Cox
Job Nelson, Unified Port of San Diego
T. Scott Edwards, Unified Port of San Diego

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

On Monday, November 14 at 1:00 p.m., my staff member Victor Avina and I had a phone conversation with the abovementioned group. We discussed the Port's CDP application for the demolition of a head house structure, the installation of public access amenities, the reconfiguration of parking and the modification of parking rates on the Navy Pier in San Diego. They explained that the demolition of the head house would cost about \$4 million between demolition & removal costs, clean up work and the repaving of the site. Further, they explained the project would increase parking spaces from about 440 spaces to 623 spaces. Finally, they said the Port would like to increase the parking rates on the Pier to about \$15 from \$10, in an area where the average rate is about \$20.

11/19/16
 Date



 Signature of Commissioner

RECEIVED
 NOV 16 2016
 CALIFORNIA
 COASTAL COMMISSION
 SAN DIEGO COAST DISTRICT

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NOV 21 2016

EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Greg Cox

- 1) Name or description of project: CDP Application #6-16-0258
- 2) Date and time of receipt of communication: Monday, November 14, 2016, 10:30 a.m.
- 3) Location of communication: 1600 Pacific Highway, San Diego, CA 92101
- 4) Identity of person(s) initiating communication: Ben Haddad
- 5) Identity of person(s) on whose behalf communication was made: USS Midway Museum
- 6) Identity of persons(s) receiving communication: Greg Cox, Victor Avina
- 7) Identity of all person(s) present during the communication:

Greg Cox, San Diego County Supervisor, District 1
Victor Avina, Policy Advisor, Office of Supervisor Cox
Chris Neils, Sheppard Mullin
Ben Haddad, California Strategies
Mac McLaughlin, USS Midway Museum

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

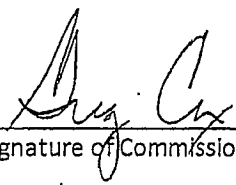
On Monday, November 14 at 10:30 a.m., my staff member Victor Avina and I met with the abovementioned group. They wanted to bring to my attention an application for the demolition of a head house structure, the installation of public access amenities, the reconfiguration of parking and the modification of parking rates on the Navy Pier in San Diego. The group explained that the Pier was originally owned by the Navy, then by the USS Midway Museum and currently by the Unified Port of San Diego.

We discussed a coastal development permit that was issued in 2003 that allowed for the berthing of the USS Midway Aircraft Carrier on the south side of the Navy Pier and for parking to be provided on the Pier to accommodate guests of the museum onboard the USS Midway. The group described the conditions attached to the CDP, including the submittal of plans for a park and the eventual removal of parking on the Pier. The group highlighted the fact that at the time when the permit was issued, the Embarcadero area was very different and had a different demand for parking, and that attendance at the Museum was expected to reach about 400,000 annual visitors. They said that the area has changed dramatically and that the Museum had reached about 1.4 million annual visitors, thereby increasing the need for parking.

The group then described recent conversations with Coastal Commission staff regarding their new application, including staff's initial objections to the project because of potential view obstructions. They provided me a copy of the following documents, all of which are attached to this disclosure:

- a Coastal Commission letter dated September 16, 2016
- a Unified Port of San Diego letter dated October 28, 2016 and its "Attachment 4"
- the original CDP from 2003

11/19/16
Date



 Signature of Commissioner

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CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



September 16, 2016

Mr. T. Scott Edwards
San Diego Unified Port District
3165 Pacific Highway
San Diego, CA 92101

Re: Coastal Development Permit Application #6-16-0258

Dear Mr. Edwards:

Thank you for the additional materials received by our office on August 19, 2016. Commission staff has reviewed these additional materials submitted in response to our non-filing letters dated April 20, June 13, and July 13 of 2016 for the above cited permit application for continued parking and parking rate increase on Navy Pier.

The latest information included an offer to amend the subject CDP project description to a three year permit term and include removal of the head house. Also included was a preliminary site plan for demolition of the head house and installation of public access amenities during the proposed interim three-year period.

The following information is still needed in order to properly review this application:

1. At the August 19th coordination meeting, we discussed a number of modifications to the preliminary site plan to further encourage public access to and through the site. Please revise the site plan to include those components, including:
 - a pedestrian walkway from the promenade to the entrance along the southern perimeter of the pier,
 - bicycle racks,
 - public benches/seating,
 - landscaping, and
 - any additional public amenities proposed.

Please also provide a description of the proposed signage to direct the public to the proposed western public viewing platform.

2. As discussed in our meetings, please confirm that during the interim three year period, the Port and Midway will commit to developing a long-term plan for Navy Pier, including relocation of parking and development of a public park.
3. Please provide an amended project description that includes the demolition of the head house, installation of the public access amenities, and a project term of three years.
4. Please provide a site plan showing the current configuration of the Navy Pier.
5. Please provide a timeline for demolition of the head house and installation of the public access amenities.

September 16, 2016
Page 2

6. Please provide additional information on the operation of the Big Bay Shuttle including days, hours, and times of operation; route and stops; cost to the public; current advertising strategy and future advertising plans to increase ridership; current and historical ridership; and future plans to expand the route and program beyond summer months. Please also include any associated timelines and funding for expansion of the Big Bay Shuttle beyond summer months.

Please do not limit your submittal to the above mentioned items. You may submit any information which you feel may help Commission staff gain a clear understanding of the scope of your project. When all required information is received, reviewed by staff and found to be adequate to analyze the project, your application will be filed and scheduled on the next available Commission agenda. If you have any questions, please feel free to call me.

Sincerely,



Melody Lasiter
Coastal Planner



**Unified Port
of San Diego**

3165 Pacific Highway, San Diego, CA 92101
P.O. Box 120488, San Diego, CA 92112-0488
619.686.6200 • www.portofsandiego.org

October 28, 2016

Ms. Melody Lasiter, Coastal Planner
California Coastal Commission
San Diego Area
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

RE: Coastal Development Permit Application #6-16-0258

Dear Melody:

Thank you for reviewing the additional materials provided by Port staff at the Port/Coastal staff coordination meeting held on August 19, 2016. The additional materials included an offer to amend the subject CDP project description to revise the permit term and include removal of the head house, and a preliminary interim Navy Pier site plan. This letter responds to your fourth "Non-Filing Letter" dated September 16, 2016 which requests additional information in order for Coastal staff to complete its review of the subject CDP application. Below are the responses, information and attachments that correspond to the requests contained in your letter.

1. In response to the public access modifications we discussed at the August 19 coordination meeting, attached is a revised preliminary interim site plan (Attachment #1). As requested, the attached site plan includes: several pedestrian walkways, including from the Embarcadero Promenade to the entrance along the southern perimeter of the pier (shown in gray), from the Embarcadero Promenade to the public viewing area on the east end of the pier, and North/South pedestrian walkway connections; bicycle racks and public benches/seating on the west end of Navy Pier within a 7,840-square-foot public viewing area; and landscaping/planter boxes at both the front of the pier (east end) and the west end of the pier. Please note that all fixtures for the public space will be temporary, since we do not want to over-spend money installing amenities that might be replaced when the long-term solution for the pier is determined. In addition, additional coastal access signage will be developed to direct the public to the western public viewing area; such signage will conform to the existing coastal access signage the Port has developed for the area, similar to what is currently found at the entrance and pathways at Navy Pier (Attachment #2). In addition, the Port worked with the City of San Diego on wayfinding signage that includes Navy Pier. This wayfinding signage is currently on the Embarcadero and in upland areas of downtown San Diego.

2. As we have discussed in our previous meetings, and correspondence, we are confirming that during the "interim period," the Port and Midway Museum will commit to developing a long-term plan for Navy Pier, including relocation of some or all of the parking and development of some or all of a public park.

Additionally, the North Embarcadero (NE) PMPA project, which we shared with you generally when we met in August, has now been formally presented to our Board at the October 13 meeting. Lesley Nishihira sent you the corresponding staff report in advance of that Board meeting. Attached, please find the staff presentation that was presented at the meeting (Attachment #3). As the presentation demonstrates, these are only preliminary and directional ideas, but will frame the work that staff will undertake over the next six to nine months in planning the NE district. As we have offered before, we will be glad to meet with you regularly to get your input on this project as we move along its development. Please let us know the level of involvement you would like to take.

3. An amended project description for the Interim Navy Pier Plan that includes demolition of the head house, installation of the public access amenities, and a revised project term is attached (Attachment #4).

Regarding the project term, the Port is requesting a total period of four (4) years—the first one (1) year is the estimated time that it will take to receive all necessary approvals, procurement, and demolition of the head house (i.e., prep period). During year one, the prep period will also allow for modification of the parking rate ranges for the existing 397 public parking spaces to occur prior to demolition of the head house. The additional **three (3) years** following demolition of the head house would allow for installation of the additional approximately 151 public parking spaces; during these three years, all of the surface public parking spaces on the pier would be subject to the new parking rate ranges, thereby allowing the District to raise the funds necessary to cover demolition of the head house. During this interim four-year period, one plus three, the District will develop a long-term plan for Navy Pier.

It is important to recognize that the funding for the demolition of the head house will come from the incremental revenue created from both the additional spaces created by removing the head house AND the parking rate increase. Also worth noting, and as you have previously confirmed, we will not be able to raise the parking rates until after we receive the CDP approval, which we understand may take six to nine months.

Please note that the Port would also like to revise the proposed parking rates for Navy Pier from what we submitted in our original CDP application; this new rate range structure is also described in the attached amended project description. Based on further understanding and calculations of the cost of demolition of the head house, resurfacing of the lot for an interim period, installation of the additional public access amenities on the pier, and less time in the "interim

period" to generate revenue, we have had to revise the proposed parking rates so that these costs can be funded. The rate ranges are also broader to account for potential future market changes in parking rates for the area.

4. A site plan showing the current configuration of Navy Pier is attached (Attachment #5).
5. An estimated Interim Development timeline is attached. Until the Coastal Commission approves the CDP, the timeline will only show time periods versus actual dates. It is anticipated that demolition of the head house, installation of the additional public access amenities, and reconfiguration of the parking will take approximately two years to complete accounting for various agency permitting required (Attachment #6). This will allow us to raise the appropriate funds to cover the cost of removing the building.
6. As detailed in our June 8, 2016 response letter (Response #4), the Port of San Diego Shuttle (formerly the Big Bay Shuttle from 2012-2015), recently completed its fifth year of operation this past 2016 Labor Day weekend. The shuttle program operated 7 days per week for 15 weeks during the period between Memorial Day weekend and Labor Day weekend. Five (5) shuttles operated daily Sunday–Thursday from 10:00 a.m. to 8:00 p.m., and Friday–Saturday from 10:00 a.m. to 10:00 p.m. These have been the operating hours, days and count of shuttles in operation over the past five years. The rate per person for all day use is \$3 with unlimited on and off privileges during the day of purchase.

The eight (8) shuttle stops have varied slightly over the past five years with some adjustments to the stops between the Sheraton on Harbor Island to the Hilton Bayfront Hotel/South Embarcadero, transporting visitors along North Harbor Drive and the waterfront.

The route for the Port of San Diego Shuttle for Summer 2016 included eight (8) stops at: Sheraton on Harbor Island, Anthony's Fish Grotto/San Diego Maritime Museum, Broadway Landing, USS Midway Museum/Tuna Harbor, Seaport Village/Headquarters, Grand Hyatt, Marriott Marquis and Marriott Bayfront (along Lane Field Park).

Ridership History

Summer	Tickets Sold	Ridership (On/Off Use)
2012	24,366	41,179
2013	13,541	26,643
2014	12,158	19,896
2015	10,585	21,511
2016	11,055	20,409

The 2016 shuttle program was advertised via several modes, including by the many Port tenants along the shuttle route, their concierge desks, via their websites and customer service representatives. Ace Parking who operated the shuttle for the Port, advertised the shuttle via their interactive website, social media sites, including Twitter and Facebook, and announcements in the general media. The shuttle was cross promoted through concierge desks at each of the hotels in the downtown market where Ace manages the parking. The Visitor Information Center at Broadway Landing also provided the public with brochures and information on the shuttle. The Port advertised the shuttle program via our website, social media and via announcements at public events throughout the summer. The five shuttles were wrapped with identifiable advertising so the public could easily recognize them. Each shuttle stop included an A-frame sign identifying the stop including details about the shuttle program and the \$3 fare for all day use. Port tenants along the shuttle route sold tickets for the shuttle to their patrons. Advertising plans for future shuttle programs will be determined once the type of shuttle program is selected and should include all of the advertising forms noted above, and may include radio spots and other multi-media formats to improve public awareness. The selection of the future format of the shuttle program will help us determine the future advertising needs to promote the program. At this point in time, a vetted advertising campaign is not possible.

Port staff is currently working with IBI Company on a shuttle study to determine how to grow ridership and create sustainable use of a year-round shuttle. As this study concludes, staff will be considering the shuttle option used over the past five years, as well as other new transportation alternatives similar to the San Diego Downtown Partnership's on-demand shuttle service with Free Ride. Free Ride utilizes an advertised subsidy model to offer people a free ride service. They are also utilizing 100% electric vehicles. To learn more about their program, please visit: <http://www.thefreeride.com/san-diego.php>. Additionally, we will also try to better understand current impacts and emerging trends of next generation "ride sharing" services and business models, e.g., Uber and Lift, as they relate to an on-going shuttle service/program.

Funding of the shuttle program is currently done via sales of advertising, tickets and tenant participation. As part of the shuttle study, new concepts for funding the future shuttle are under consideration. The IBI Company study is just now wrapping up the statistics from this past summer and is expected to be completed by the end of this year.

In addition to the shuttle, there are eight (8) Deco Bike stations on tidelands spanning from the South Embarcadero to Harbor Island and Spanish Landing; MTS has several stops along North Harbor Drive, which serve all areas of the Embarcadero with many stops within easy walking distance of the many waterfront attractions and businesses. The trolley and train station are only one block from the main area of the North Embarcadero off Broadway. All alternative

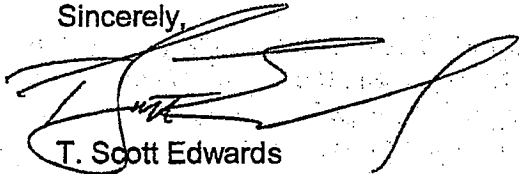
Ms. Melody Lasiter
Page 5 of 5
October 28, 2016

transportation options are listed on our Port website and our Port Tenants' websites so that visitors have various options when planning to visit the Embarcadero. Our tenant hotels and businesses inform us that, along with their own hotel shuttles, taxis, Uber and Lyft are often utilized by their guests and visitors as modes of transportation to their locations along the waterfront.

For a comprehensive view of the Port of San Diego Shuttle, attached is the 2016 Ridership Report (Attachment #7).

We appreciate the feedback Coastal staff has provided us on this project over the past several months, and hope that with this additional information, Coastal staff will deem our CDP application filed and docket this item for the next Coastal Commission meeting. If you have additional questions, please contact me.

Sincerely,



T. Scott Edwards
Chief Operating Officer/Vice President.
(619) 686-6498

- Attachment 1 - Interim Period Navy Pier Site Plan
- Attachment 2 - Interim Period Coastal Access Signage for Navy Pier
- Attachment 3 - NE PMPA Staff Presentation from October 13 Board meeting
- Attachment 4 - Amended Project Description for Interim Period Navy Pier Plan
- Attachment 5 - Site Plan of Current Configuration of Navy Pier
- Attachment 6 - Navy Pier Interim Development Timeline
- Attachment 7 - Port of San Diego 2016 Shuttle Ridership Report

San Diego Unified Port District
Document No. 45516
Filed SEP 17 2004
Office of the District Clerk



(8)
Port of San Diego
and Lindbergh Field Air Terminal

(619) 686-6200 • P.O. Box 120488, San Diego, California 92112-0488
www.portofsandiego.org

COASTAL DEVELOPMENT PERMIT

Applicant: San Diego Aircraft Carrier Museum
Alan Uke
Underwater Kinetics
13400 Danielson Street
Poway, CA 92064

Project: USS MIDWAY AIRCRAFT CARRIER MUSEUM AND
MOORING PLATFORMS

Location: South side of Navy Pier 11A, west of Harbor Dr., north of "G" Street
Downtown San Diego

You are hereby granted a Coastal Development Permit. This permit is issued in conformance with the California Coastal Act of 1976 and the Coastal Permit Regulations of the San Diego Unified Port District, as adopted by the Board of Port Commissioners on July 1, 1980, Resolution No. 80-193, and as amended on December 2, 1980, Resolution No. 80-343, and on February 14, 1984, Resolution No. 84-62, in accordance with the provisions for the issuance of a [] Emergency [X] Non-appealable [] Appealable Coastal Development Permit.

Date of Board Action: February 11, 2003

Board of Port Commissioners Resolution Number: 2003-28

Date of Permit: July 22, 2003

Application Number: 2003 002-54-34

Permit Number: CDP-2003-03

The proposed project is located in Planning District 3, Centre City Embarcadero, which is delineated on the Precise Plan Map, Figure 11. The Port Master Plan classification of the land and water area within the limits of the proposed project is Commercial Recreation, Park/Plaza, and Vista Area. In addition, public recreational facilities are an allowable development under the Commercial Recreation Land Use classification. The project is fully consistent with Public Resources Code Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein.

This permit is limited to the development described below and set forth in material on file with the San Diego Unified Port District (District), and subject to the terms, conditions, and provisions hereinafter stated:

DEVELOPMENT

The proposed project consists of the berthing of the USS Midway Aircraft Carrier on two mooring platforms that will permanently moor the USS Midway Aircraft Carrier on the south side of Navy Pier 11A for the purpose of a public museum. The platforms will consist of a three-foot thick concrete deck flanked by 16-foot fenders attached to a precast concrete panel on the mooring side. Each platform will be approximately 60 feet by 35 feet in size. Access to the USS Midway will be by way of approximately four gangways attached to the existing pier deck. Parking will be provided on Navy Pier to accommodate all parking for the museum.

The project is fully consistent with Public Resources Code Sections 30604(C), 30210-30224, and the Coastal Act public access and recreation policies. In addition, the proposed project will not interfere with the public's right of access to the sea.

STANDARD PROVISIONS

1. Permittee shall adhere strictly to the current plans for the project as approved by the District.
2. Permittee shall notify the District of any changes in the project.
3. Permittee shall meet all the local code requirements and ordinances and obtain all necessary permits from local, state and federal agencies.
4. Permittee shall conform to the permit rules and regulations of the District.
5. Accessible ramp & disabled access shall be provided to the USS Midway Museum in conformance with all State and Federal (Title 24/ADA) accessibility laws.
6. Permittee shall commence development within two (2) years following the date of the permit issuance by the District. Construction shall be pursued in a diligent manner and completed within a reasonable period of time.
7. The permit is in no way intended to affect the rights and obligations heretofore existing under private agreements nor to affect the existing regulations of other public bodies.
8. This permit shall not be valid unless two copies have been returned to the Land Use Planning Department of the District, upon which copies the permittee has signed a statement agreeing that the permittee will abide by the terms, conditions, limitations, and provisions of the permit.

9. All best management practices must be performed during construction and maintenance operations. This includes no pollutants in the discharges to storm drains or to San Diego Bay, to the maximum extent practicable.

SPECIAL PROVISIONS

10. The San Diego Aircraft Carrier Museum (SDACM) shall establish a ten-year special account into which it will contribute \$100,000 per year for the first five years and \$150,000 per year for the second five years. The purpose of the funds in the account will be to secure upland parking for the Midway, thereby allowing the parking on the pier to be removed and the pier converted to a memorial park. At such time as SDACM obtains adequate parking away from the pier, it may close the special account and use the funds in any way SDACM sees fit. The account will be auditable or accessible to the Coastal Commission staff and Port staff annually to verify that the funds are present.
11. The SDACM shall submit complete plans and a project description to the District for review and evaluation of the Navy Pier Memorial Park as soon as practicable, but not later than three years prior to the conclusion of the ten-year special account period described in item #10 above.
12. The SDACM must exercise its option to acquire the mitigation parcel prior to berthing the ex-USS Midway at Navy Pier on San Diego Bay and provide proof of property purchase to the Port District at that time.
13. Funds (separate from item #10 above) must be designated and provided for in advance for full restoration of marsh mitigation. A minimum percentage of the Midway budget shall be designated annually with regular increases for inflation to manage and protect the restored marsh area. In the event the Midway is placed under new management, such funds will be transferred to an appropriate wildlife management agency.
14. Included in the fund must be an adequate allocation or foundation for annual removal program for invasive species and a status report to the Coastal Commission every five years on the status of invasive species in the marsh to be managed by the U.S. Fish & Wildlife Service (USFWS) or their designee agency.
15. Also to be included in the allocation or foundation, there must be an aggressive predator management program to be implemented by the USFWS or their designated agency.
16. A report shall be prepared every five years to the CCC on the status of the sedimentation and remedial action, if necessary, to meet and maintain restoration goals.

17. Comply with the USS Midway Public Access Program. (attached)

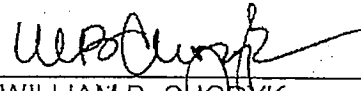
CONDITIONS OF CONCEPT APPROVAL:

All conditions of concept approval from the project review conducted by the Port's Architectural & Mapping Services Department shall be met.

If you have any questions on this permit, please contact the Land Use Planning Department of the San Diego Unified Port District at (619) 686-6283.

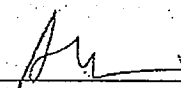
BRUCE B. HOLLINGSWORTH
Executive Director

By:



WILLIAM B. CHOPYK
Manager, Planning Services

I have read and understand the terms, conditions, limitations, and provisions of this permit and agree to abide by them.



Signature of Permittee

8/21/03

Date

ATTACHMENT

Ping/CDPs/CDP 2003-03 USS Midway.doc

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4