

CALIFORNIA COASTAL COMMISSION

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Th20a

ADDENDUM

DATE: October 9, 2023

TO: Coastal Commissioners and Interested Parties

FROM: San Diego District Staff

SUBJECT: **ADDENDUM TO ITEM TH20a CDP APPLICATION NO. 6-20-0628 FOR THE COMMISSION MEETING ON OCTOBER 12, 2023.**

This addendum is designed to achieve the following objectives. First, Section I updates the record by adding a letter from the Commission's Federal Consistency staff identifying the disposal of dredged material at the LA-5 offshore disposal site would have no effects on coastal resources. Second, Section II provides revisions to the staff report that expand the survey requirement for *Caulerpa taxifolia* to include all *Caulerpa* species, requires the *Caulerpa* survey to comply with the *Caulerpa* Control Protocol, and corrects the amount of overwater coverage and fill impacts.

I. NEW EXHIBITS

Documents attached to this addendum and included as a new Exhibit 4 are:

- 1) Exhibit 4 – No-Effects Determination NE-0002-21

II. REVISIONS TO STAFF REPORT

Commission staff recommends changes to the staff report dated September 21, 2023 to make the following modifications and corrections. Language to be added is shown in underlined text, and language to be deleted is identified by ~~strikethrough~~.

- 1) On page 2, revise the second paragraph, as follows:

To further address potential adverse impacts, **Special Condition No. 1** requires the applicant to submit revised final plans that include the proposed mooring dolphin. **Special Condition No. 3** requires adherence to noise limitations during pile driving activities to protect marine animals. **Special Condition No. 4** requires the applicant

to remove in-water derelict debris from the project site to improve water quality.

Special Condition No. 5 requires the applicant to conduct a *Caulerpa* ~~sp. taxifolia~~ survey to ensure the invasive algae is not present and if it is present, ensure its spreading is avoided to protect water quality, [...]

- 2) On page 9, revise Special Condition No. 5, Invasive Species, as follows:

Invasive Species. No earlier than 90 days nor later than 30 days prior to commencement or re-commencement of any development authorized by this coastal development permit, the permittee shall undertake a survey of the project area and a buffer area at least 33 feet beyond the project area to determine the presence of the invasive alga *Caulerpa* ~~sp. taxifolia~~. The survey shall include a visual examination of the substrate and conform to the most recent *Caulerpa* Control Protocols approved by the Southern California *Caulerpa* Action Team. If any portion of the project commences in a previously undisturbed area after the last valid *Caulerpa* ~~sp. taxifolia~~ survey expires, a new survey is required prior to commencement of work in that area. ~~The survey protocol shall be prepared in consultation with the California Department of Fish and Wildlife and the National Marine Fisheries Service.~~ Within ~~five~~ fifteen (15) business-calendar days of completion of the survey, the applicant shall submit the survey: (1) for the review and written approval by the Executive Director; and (2) to the Surveillance Subcommittee of the Southern California *Caulerpa* Action Team.

If *Caulerpa* ~~sp. taxifolia~~ is found within the project or buffer areas, the applicant may not proceed with the project and should follow all applicable requirements in the *Caulerpa* Control Protocol. ~~The project may not continue until: (1) the applicant provides evidence to the Executive Director that all applicable requirements within the *Caulerpa* Control Protocol have been fulfilled and the project footprint and buffer are no longer in an *Caulerpa* sp. infected area. *Caulerpa* ~~taxifolia~~ discovered within the project and buffer area have been eliminated in a manner that complies with all applicable governmental approval requirements, including but not limited to those required by California Coastal Act and Commission regulations; or (2) the applicant has revised the project to avoid any contact with *Caulerpa* ~~taxifolia~~.~~ No revisions to the project shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required for any minor deviations.

- 3) On page 14, modify the last sentence of the last paragraph, as follows:

Sediment from the POSD Dry Dock will be disposed at the U.S. Environmental Protection Agency-designated LA-5 offshore disposal site, ~~which is currently under~~ was reviewed by the Commission's Federal Consistency staff who determined that the disposal would not adversely impact coastal resources ([Exhibit 4](#)).

- 4) On page 15, modify the first paragraph, as follows:

The mooring dolphin would be located approximately 970 feet offshore and west of Pier 3 and extend to +13 feet mean lower low water ([Exhibit 2](#)). The structure would

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BAE Systems San Diego Ship Repair Inc.

be 16 by 16 feet (256 square feet) and include eight 24-inch concrete octagonal piles ranging from 85 to 110 feet long, two 150-ton double bitts, 16 steel H-pile fenders, 12 cylindrical fenders, whalers, and chocks. The mooring dolphin would add approximately ~~320~~ 480.25 square feet of overwater coverage and ~~4.9 cubic yards~~ 29.4 square feet of fill.

5) On page 18, modify the fourth paragraph, as follows:

In addition, **Special Condition No. 5** requires the applicant to conduct a *Caulerpa sp. taxifolia* survey to ensure the invasive algae is not present and if it is present, ensure its spreading is avoided.

CALIFORNIA COASTAL COMMISSION

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September 25, 2023

Adam Gale
Managing Partner
Anchor QEA, LLC.
9700 Research Drive
Irvine, CA 92618

Subject: No-Effects Determination NE-0002-21 (Disposal at LA-5 of sediment dredged from Pride of San Diego Dry Dock, BAE Systems shipyard, San Diego County)

Dear Mr. Gale:

The Coastal Commission staff has reviewed the above-referenced No-Effects Determination. According to the submittal from Anchor QEA, LLC, BAE Systems proposes to dispose at the LA-5 Ocean Dredged Materials Disposal Site an estimated 30,800 cubic yards of sediment dredged from the deepening of the existing Pride of San Diego Dry Dock in San Diego. LA-5 is an EPA-authorized dredged material disposal site located approximately 5.5 miles southwest of Point Loma. The disposal project is anticipated to take approximately three months to complete.

The Commission is not reviewing the dredging operation in this No-Effects Determination, since that activity is located within the jurisdiction of the Port (and a portion within the Commission's jurisdiction) and subject to the Port's harbor development permit process and a separate Coastal Development Permit. The U.S. Army Corps of Engineers and U.S. Environmental Protection Agency reviewed sediment test results and confirmed that of the approximately 35,100 cy of sediment to be dredged in total associated with the proposed project, 30,800 cy was suitable for offshore disposal; the remaining material (4,300 cy not suitable for aquatic disposal) will be disposed of at an upland landfill. BAE Systems will adhere to EPA's mandatory disposal site use conditions which are attached to Carnival's Corps permit for LA-5 disposal.

With these conditions and based on the sediment test results, the Commission staff **agrees** that the proposed disposal of 30,800 cubic yards of sediment at LA-5 will not adversely affect coastal resources. We therefore **concur** with your no-effects

EXHIBIT NO. 4

APPLICATION NO.

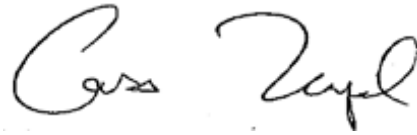
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determination. Please contact Cassidy Teufel at Cassidy.Teufel@coastal.ca.gov should you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Cassidy Teufel". The signature is written in a cursive, flowing style.

CASSIDY TEUFEL
Federal Consistency Coordinator
(for)

Dr. Kate Huckelbridge

cc: CCC – South Coast District