

Notice of Determination

To: Office of Planning and Research

U.S. Mail:

P.O. Box 3044

Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street, Room 113

Sacramento, CA 95814

From:

CA Regional Water Quality Control Board,
San Diego Region

2375 Northside Drive, Suite 100

San Diego, CA 92108

Contact: Lisa Honma

Phone: 619-521-3367

Lead Agency (if different from above):

San Diego Unified Port District

P.O. Box 120488

San Diego, CA 92112-0480

Contact: Megan Hamilton

Phone: 619-380-0765

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2019011069

Project Title: Pier 4/Wharf 4 Replacement, Piers 1, 5, and 7 Removal, and Quay Wall Reinforcement Project

Project Applicant: Continental Maritime of San Diego, LLC

Project Location (include county): 1995 Bay Front Street, San Diego CA 92113, San Diego County, Lat/Long (approx. center reading): 32.69438, -117.1497

Project Description: The San Diego Regional Water Quality Control Board issued a Clean Water Act section 401 water quality certification (Certification No. R9-2022-0097) to the Project Applicant to (1) remove and replace a portion of Pier 4 and its marginal wharf (Wharf 4), (2) remove the remainders of Piers 1, 5, and 7, and (3) reinforce the existing quay wall and remove rubble from the San Diego Bay floor. The Project will cause permanent impacts to San Diego Bay. However, the Project will result in an overall net decrease of both structural surface water cover and fill in San Diego Bay after the Project is implemented and provide on-site eelgrass habitat establishment to mitigate for ecological degradation of aquatic resource condition from shading caused by the Pier 4's expanded footprint will cause the permanent loss of eelgrass habitat. To protect water quality, silt curtains will be deployed to contain turbidity and visual observation and water quality monitoring will be conducted during in-water construction.

This is to advise that the California Regional Water Quality Control Board, San Diego Region, a Responsible Agency, has approved the above-described project on October 13, 2022 and has made the following determinations regarding the above-described project.

1. The project will have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was not adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This to certify that the record of project approval for the Final Mitigated Negative Declaration and Addendum No. 1 is available to the general public at: the office of the Lead Agency at 3165 Pacific Highway, San Diego, CA 92101. The record associated with the San Diego RWQCB's decision is available at 2375 Northside Drive, Ste. 100, San Diego CA 92108, ph. 619-521-1990 (Electronic File No./PIN 880795).

Signature (Public Agency) of David W. Gibson, Executive Officer:

Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resource Code.
Reference Sections 210000-21174, Public Resource Code.