Austal USA Floating Dry Dock Project Final Environmental Impact Report

Prepared for

San Diego County Air Pollution Control District
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Executive Summary

Introduction/Background

This Final Environmental Impact Report (EIR) was prepared for the Austal USA Floating Dry Dock Project (proposed project) in compliance with the *California Environmental Quality Act* (CEQA) and is summarized here. The San Diego County Air Pollution Control District (SDAPCD) is the CEQA Lead Agency for the EIR and has primary responsibility for evaluating the environmental effects of the proposed project and determining whether to approve the proposed project after considering these effects and any comments from agencies or the public. The Final EIR for the proposed project was prepared in accordance with CEQA and CEQA Guidelines, including Sections 15086, 15088, and 15132. As required by CEQA, this Final EIR includes the following:

- Draft EIR or a revision of the draft.
- Comments and recommendations received on the Draft EIR either verbatim or in summary.
- List of persons, organizations, and public agencies commenting on the Draft EIR
- Responses from the lead agency to significant environmental points raised in the review and consultation process
- Any other information added by the lead agency

This Final EIR and its appendices are available for review on the SDAPCD website at https://www.sdapcd.org/content/sdapcd/planning/ceqa.html. In addition, a hard copy of this EIR is available for review during SDAPCD business hours at 10124 Old Grove Road, San Diego, CA 92131.

Project Description Summary

The proposed project entails constructing and operating a floating dry dock (FDD) at the Austal USA facility located on San Diego Bay in National City, California (Figure ES-1). The Austal USA facility consists of areas leased from the US Navy (Navy) and from the Port of San Diego (Port) and is located adjacent to areas that are owned and controlled by Naval Base San Diego (NBSD) and the Port. The FDD would be placed within the Navy lease area located in San Diego Bay adjacent to the Austal USA facility. The objective of the proposed project is to help the Navy address a projected shortfall of dry dock space at NBSD by adding a new FDD to support operations at a location adjacent to NBSD. The proposed project would support governmental and commercial vessels in San Diego Bay by providing full docking availabilities for vessels up to 500 feet long.

Figure ES-1. Proposed Project Map

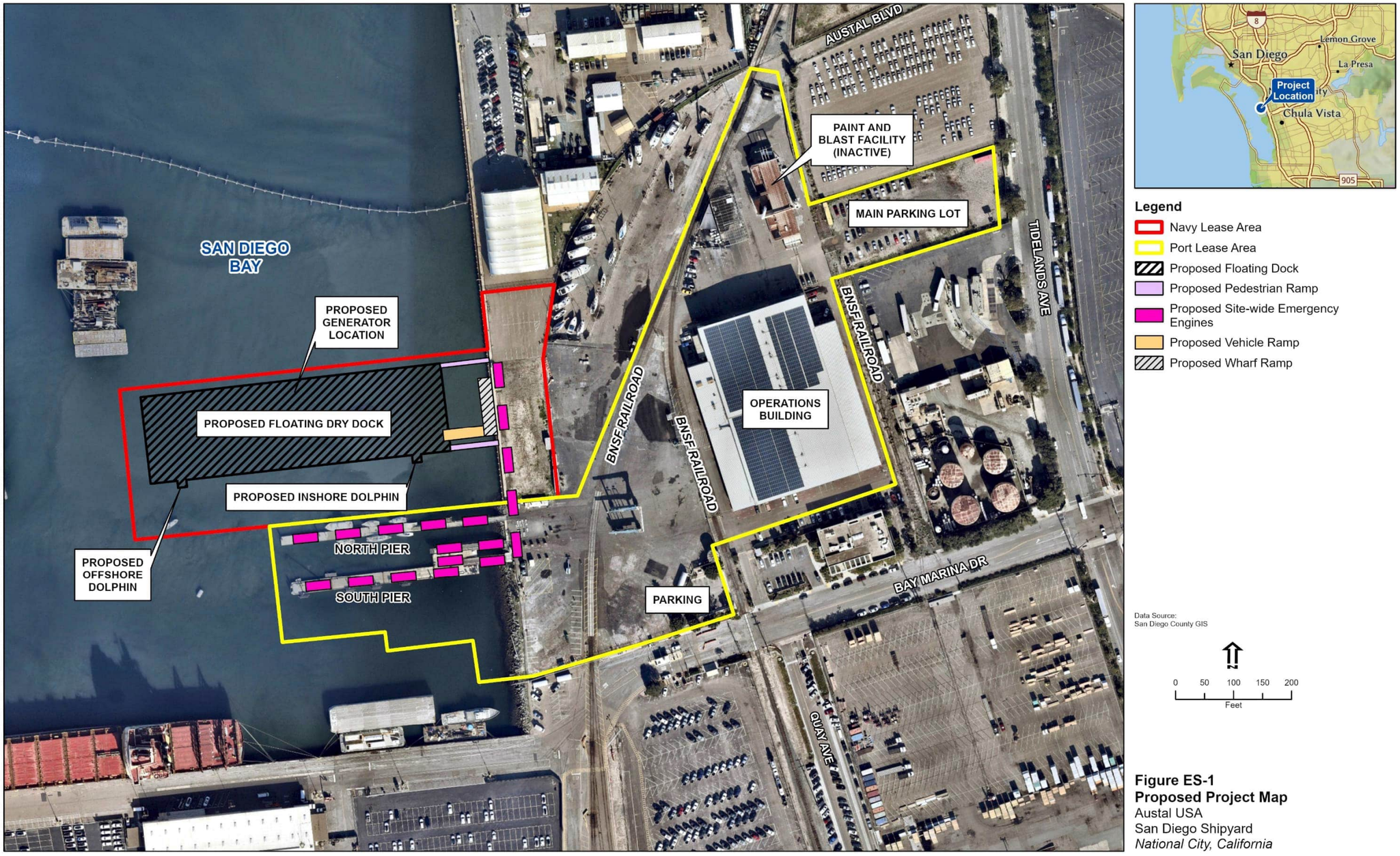

Figure ES-1
Proposed Project Map
Austal USA
San Diego Shipyard
National City, California

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Operation of the FDD would be in accordance with Department of Defense (DoD) Standard Practice MIL-STD 1625D, *Department of Defense Standard Practice: Safety Certification Program (SCP) for Drydocking Facilities and Shipbuilding Ways for US Navy Ships* (DoD 2009). Standard Practice MIL-STD 1625D is a required safety standard certification for Navy dry-docking facilities.

The FDD was constructed off-site and is currently moored but not in use near its proposed operational location adjacent to the Austal USA facility. It is 531.5 feet long by 154.20 feet wide and has an overall depth of 43 feet. The FDD would service up to four vessels annually and includes the following permanent components:

- Two diesel-powered emergency generators
- Control house
- Lavatory
- Two electrically powered cranes
- Fixed lighting
- Stormwater retention system to capture stormwater and deck wash-down water, and prevent runoff
- Two pedestrian bridges and one vehicle bridge; these would be extended landside to provide FDD access
- Built-in static saltwater fire suppression system

Project Construction Activities

Proposed project construction activities would occur over a period of approximately 8 weeks and require up to 20 workers per day. These activities would include:

- Constructing a concrete wharf supported by 33 24-inch octagonal concrete piles in the water, three of which are currently pending installation. The concrete wharf would support the FDD vehicle bridge once it is extended landside.
- Installing two mooring dolphins, each consisting of 11 24-inch octagonal concrete piles and an additional 10 steel H piles to serve as a fender system. A total of 12 temporary steel H piles would also be installed to support pile installation, and they would be removed after permanent piles were installed.
- Moving the FDD from its current temporary location to its permanent moored location using two tugboats operating for 3 to 4 hours. The FDD would be held in position using grippers secured to mooring dolphins.

Project Operational Activities

Operation of the proposed project would require up to 130 new workers to be on site during vessel availabilities (that is, when a vessel is in the FDD) and would require up to 12 local haul truck trips per year. The FDD would service up to four vessels per year. Vessel availabilities are expected to be from 1 to 6 months in duration. Operations would occur year-round, with working hours between 6:00 a.m. to 4:00 p.m., 6 days a week, consistent with surrounding

Navy and Port operations. Activities would include use of heavy equipment such as electric gantry cranes that are built into the FDD, 60- to 80-foot boom lifts, and various-sized forklifts and trucks. The FDD would be operated using its own built-in electric gantry cranes, stormwater pumps, sewer pump, and ballast pump. The FDD would be connected to existing utilities on the Austal USA facility including electrical, domestic water and fire water lines, and sanitary wastewater. Other than proposed diesel-powered emergency equipment to be operated under air permits issued by SDAPCD, no additional pumps, cranes, or compressors would be required to operate the FDD.

Proposed project operational activities include:

- Vessel repair and maintenance activities in the FDD that may include abrasive blasting, hydro blasting, painting, tank cleaning, removal of bilge and ballast water, sheet metal work, electrical work, mechanical repair, engine repair, hull repair, shaft repair, propeller and rudder repair, repair/replacement of sea valves and fittings below the waterline, and sewage disposal.
- FDD evolutions (that is, raising and lowering the FDD) would occur for up to four vessels per year. Each evolution requires submerging the FDD by filling the ballast tanks with seawater via gravity to allow for the arrival of a vessel and again to allow for departure of a vessel. The FDD is raised by pumping seawater out of the ballast tanks.
- Routine maintenance of the FDD would consist of touch-up painting, equipment maintenance, tank cleaning, sheet metal work, electrical work, mechanical repair, and repair/replacement of valves and fittings. Additionally, required testing for FDD emergency generators would require up to 52 hours of operation per year.
- Vessel repair and maintenance activities at the Austal USA facility's South Pier (refer to Figure ES-1) for up to four vessels per year. Activities at the South Pier would include welding, coating and solvent usage, adhesive usage, and abrasive blasting.
- Maintaining site-wide emergency engine system consisting of portable diesel-powered emergency engines to provide a redundant firefighting system when Navy ships are at the South Pier for vessel repair and maintenance.

Summary of Project Impacts

Table ES-1 summarizes proposed project impacts.

Table ES-1. Project Impacts and Mitigation Measures

Threshold	Impact	Level of Significance	Mitigation Measures	Significance After Mitigation
Aesthetics				
1. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	Construction and operation of the project would not have a substantial adverse effect on scenic resources.	Less than significant	No mitigation is required	N/A
2. In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	The proposed project would be consistent with applicable zoning and other regulations specific to aesthetic resources.	No impact	No mitigation is required	N/A
3. Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	Construction and operation of the proposed project would not introduce a new substantial amount of light and glare affecting day- or nighttime views of the area.	Less than significant	No mitigation is required	N/A
Air Quality				
1. Would the project conflict with or obstruct implementation of the applicable air quality plan?	Construction and operation emissions and impacts would be less than significant, and the proposed project would not conflict with or obstruct implementation of the applicable air quality plans.	Less than significant	No mitigation is required	N/A
2. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard?	Emissions generated during construction and operation of the proposed project would not result in a cumulatively considerable net increase of any criteria air pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.	Less than significant	No mitigation is required	N/A
3. Would the project expose sensitive receptors to substantial pollutant concentrations?	Construction and operations impacts from the proposed project would have a less than significant impact on nearby sensitive receptors and would not expose sensitive receptors to substantial pollutant concentrations.	Less than significant	No mitigation is required	N/A
4. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Construction and operation of the proposed project would not result in other emissions such as those leading to odors that would adversely affect a substantial number of people.	Less than significant	No mitigation is required	N/A
Biological Resources				
1. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	Construction and operation of the proposed project would not have a substantial adverse effect on any candidate, sensitive, or special-status species.	Less than significant	No mitigation is required	N/A
2. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	Construction and operation of the proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community.	Less than significant	No mitigation is required	N/A
3. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	The proposed project site does not contain any state or federally protected wetlands; therefore, no impact would occur.	No impact	No mitigation is required	N/A
4. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Construction and operation of the proposed project would not substantially interfere with the movement of migratory or resident fish or wildlife species.	Less than significant	No mitigation is required	N/A

Table ES-1. Project Impacts and Mitigation Measures

Threshold	Impact	Level of Significance	Mitigation Measures	Significance After Mitigation
5. Would the project conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?	The proposed project would not conflict with the provisions of any adopted Habitat Conservation Plan; Natural Communities Conservation Plan; other approved local, regional, or state habitat conservation plan; or any other local policies or ordinances that protect biological resources.	Less than significant	No mitigation is required	N/A
Energy				
1. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Construction and operation of the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources.	Less than significant	No mitigation is required	N/A
2. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	The proposed project would not conflict with or obstruct any state or local plan for renewable energy or energy efficiency.	Less than significant	No mitigation is required	N/A
Geology/Soils				
1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?	Project construction and operations would not entail activities that would increase the risk of loss, injury, or death due to seismic shaking.	Less than significant	No mitigation is required	N/A
2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?	Potential substantial adverse effects related to landslide, lateral spreading, subsidence, liquefaction, or collapse are not anticipated during construction and operation of the proposed project.	Less than significant	No mitigation is required	N/A
3. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	The proposed project would not be subject to potential on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse during construction or operation.	Less than significant	No mitigation is required	N/A
Greenhouse Gas Emissions				
1. Would the project generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	GHG emissions generated by proposed project construction and operation would be less than the California Air Pollution Control Officers Association threshold of 900 $MTCO_2e$ per year, indicating GHG impacts would be less than significant.	Less than significant	No mitigation is required	N/A
2. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	The project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.	Less than significant	No mitigation is required	N/A
Hazards and Hazardous Materials				
1. Would the project create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	The proposed project would not create a significant hazard to the public or the environment through the routine transport, storage, use, or disposable materials or through a reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment.	Less than significant	No mitigation is required	N/A
2. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	The proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area.	Less than significant	No mitigation is required	N/A
3. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Construction and operation of the proposed project would not impact implementation of or physically interfere with an adopted response plan or emergency evacuation plan.	Less than significant	No mitigation is required	N/A

Table ES-1. Project Impacts and Mitigation Measures

Threshold	Impact	Level of Significance	Mitigation Measures	Significance After Mitigation
Hydrology/Water Quality				
1. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Proposed project construction and operations would not violate water quality standards or WDRs; nor would it substantially degrade surface or groundwater quality.	Less than significant	No mitigation is required	N/A
2. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	The proposed project would not alter the site's existing drainage patterns, increase impervious surface areas, or alter any existing stream or river. Construction and operation of the proposed project would not have a substantial adverse effect on drainage patterns, storm drainage facilities, and new sources of polluted runoff.	Less than significant	No mitigation is required	N/A
3. Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Impacts from seiches and tsunamis on a floating facility are expected to be minor, and construction and operation of the proposed project would not have a substantial adverse effect on potential release of pollutants due to project inundation.	Less than significant	No mitigation is required	N/A
4. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	The proposed project would not conflict with any water quality control plan or sustainable groundwater management plan.	Less than significant	No mitigation is required	N/A
Noise				
1. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Construction and operation of the proposed project would not result in any substantial temporary or permanent increases in ambient noise.	Less than significant	No mitigation is required	N/A
2. Would the project result in generation of excessive ground-borne vibration or ground-borne noise levels?	Construction and operation of the proposed project would not generate excessive ground-borne vibration or noise.	Less than significant	No mitigation is required	N/A
Population and Housing				
1. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Construction and operation of the proposed project would not result in substantial adverse effects related to direct or indirect unplanned population growth in the area.	Less than significant	No mitigation is required	N/A
Public Services				
1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for fire protection?	Construction and operation of the proposed project is not anticipated to adversely affect performance objectives or response times for fire protection services, and would not require construction or physical alterations to fire protection facilities or new or expanded governmental facilities.	No impact	No mitigation is required	N/A
2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for police protection?	Construction and operation of the proposed would not affect response times for police protection services or require the provision of new or physically altered police protection facilities.	No impact	No mitigation is required	N/A

Table ES-1. Project Impacts and Mitigation Measures

Threshold	Impact	Level of Significance	Mitigation Measures	Significance After Mitigation
Transportation/Traffic				
1. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Construction and operation of the proposed project would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities	Less than significant	No mitigation is required	N/A
2. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	The proposed project would not be in conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).	Less than significant	No mitigation is required	N/A
3. Would the project result in inadequate emergency access?	Construction and operation of the proposed project is not anticipated to adversely affect emergency service performance objectives or response times and would not result in inadequate emergency access.	Less than significant	No mitigation is required	N/A
Tribal Cultural Resources				
1. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision I(c) of Public Resources Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.	No tribal cultural resources were identified in the project area, and no tribes contacted regarding cultural resources at the project site have responded. Given the nature of constructed land where the proposed project would occur, no tribal cultural resources are expected to be discovered during project construction. Operation and maintenance activities for the proposed FDD would require no ground disturbance, and no operation-related impacts would occur.	No impact	No mitigation is required	N/A
Utilities/Service Systems				
1. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?	Construction and operation of the proposed project does not include or require construction of any new water, wastewater treatment or stormwater drainage, electric power, natural gas or telecommunications facilities or any relocation or improvements to existing water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities.	No impact	No mitigation is required	N/A
2. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Current water supply to the Austal USA facility provided by the Sweetwater Authority would be sufficient for construction of the proposed project, and there would be sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.	Less than significant	No mitigation is required	N/A
3. Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Existing wastewater treatment facilities would have adequate capacity to meet construction and operational needs of the proposed project.	Less than significant	No mitigation is required	N/A
4. Would the project generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Construction and operation of the project is not anticipated to have a substantial adverse effect on capacity of local waste infrastructure and would not impair the attainment of solid waste reduction goals.	Less than significant	No mitigation is required	N/A
5. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	The proposed project would not conflict with or cause a local jurisdiction or service provider to conflict with any federal, state, or local solid waste regulations.	Less than significant	No mitigation is required	N/A

$MTCO_2e$ = metric tons of carbon dioxide equivalent

N/A = not applicable

WDR = waste discharge requirement

Areas of Known Controversy/Issues Raised by Agencies and the Public

CEQA Guidelines Section 15123 requires that an EIR provide a brief summary of areas of controversy known to the lead agency, including issues raised by agencies or the public during the EIR process, and to identify ways in which these issues have been or are being resolved. A *Notice of Preparation* (NOP), accompanied by an *Initial Study*, was distributed to the California State Clearinghouse and to other public agencies (Appendix A). The NOP was published on September 11, 2024, and the review period for the *Initial Study* was from September 11, 2024, to October 3, 2024. Areas of known controversy raised during the public review period are summarized below and are addressed in Chapter 3, *Environmental Analysis*.

Air Quality

- Consistency with the *Maritime Clean Air Strategy* (MCAS) and *Emissions Reduction Plan: Portside Communities* (CERP)
- Use of zero-emission vehicles and electric equipment
- Use of equipment that complies with US Environmental Protection Agency Tier 4 standards
- Toxic air contaminants from project operations

Biological Resources

- Disturbance of eelgrass (genus *Zostera*) habitat
- Spread of invasive seaweeds in the *Caulerpa* genus
- Impacts on fish and benthic organisms from turbidity caused by sediment disturbance
- Impacts on marine-dependent bird species
- Noise impact on marine species during construction
- Impacts from lighting
- Impact on marine species from FDD ballast tank operations

Energy and Greenhouse Gases

- Increase in energy use
- GHG generated from energy production
- GHG from traffic resulting from increased employment on site

Hydrology

- Turbidity and contaminants in Bay water from sediment disturbance
- Discharges of pollutants to water from FDD operations

Transportation

- Traffic resulting from increased employment on site

Issues to Be Resolved

As the CEQA Lead Agency, SDAPCD has primary responsibility to evaluate the project, identify and mitigate significant impacts, and provide the public with an opportunity to comment on the project. As the CEQA Lead Agency, SDAPCD must also determine whether a statement of overriding considerations would be required, make findings, and ultimately make the determination on whether to approve the proposed project and adopt a mitigation monitoring and reporting plan.

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Acronyms and Abbreviations

Acronym	Definition
ALUCP	*Airport Land Use Compatibility Plan*
APE	area of potential effect
AQIA	*Air Quality Impact Analysis*
ATCM	airborne toxic control measure
bhp	brake-horsepower
BMP	best management practice
CA	California
CAA	*Clean Air Act*
CAAQS	California Ambient Air Quality Standards
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	*California Building Standards Code*
CCR	*California Code of Regulations*
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	*California Environmental Quality Act*
CFR	*Code of Federal Regulations*
CGP	Construction General Permit
CGS	California Geologic Survey
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CRHR	California Register of Historical Resources
CTR	California Toxics Rule

Acronym	Definition
CWA	*Clean Water Act*
CZMA	*Coastal Zone Management Act*
dBA	decibel (A-weighted scale)
DoD	Department of Defense
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
DWR	California Department of Water Resources
EA	Environmental Assessment
EFH	essential fish habitat
EIR	Environmental Impact Report
EIS	Environmental impact statement
EPA	US Environmental Protection Agency
ERL	effects range low
ESA	*Endangered Species Act*
EV	electric vehicle
FDD	Floating Dry Dock
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
GHG	greenhouse gas
HEPA	high-efficiency particulate air
HRA	health risk assessment
HU	hydrologic units
IEPR	Integrated Energy Policy Report
IHA	Incidental Harassment Authorization
INRMP	Integrated Natural Resources Management Plan
IS	Initial Study

Acronym	Definition
LOS	level of service
LT	long-ton(s)
MBTA	*Migratory Bird Treaty Act*
MCAS	Maritime Clean Air Strategy
MGBW	Marine Group Boat Works
MLLW	mean lower low water
MMPA	*Marine Mammal Protection Act*
MT	metric ton(s)
MMT	million metric ton(s)
NAAQS	National Ambient Air Quality Standards
NAVFAC	Naval Facilities Engineering Systems Command
NAVFAC SW	Naval Facilities Engineering Systems Command Southwest
NBSD	Naval Base San Diego
NEHRP	National Earthquake Hazards Reduction Program
NEPA	*National Environmental Policy Act*
NHPA	*National Historic Preservation Act*
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NOI	Notice of Intent
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NTU	nephelometric turbidity units
O_3	ozone
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PAH	polycyclic aromatic hydrocarbon

Acronym	Definition
PCB	polychlorinated biphenyls
PDP	priority development projects
PFMC	Pacific Fishery Management Council
PM	particulate matter
$PM_{2.5}$	particulate matter less than 2.5 micrometers in diameter
PM_{10}	particulate matter less than 10 micrometers in diameter
PMP	*Port Master Plan*
PRC	*Public Resources Code*
PSO	Protected Species Observer
RAQS	Regional Air Quality Strategy
RCRA	*Resource Conservation and Recovery Act*
RHNA	Regional Housing Needs Allocation
RTIP	Regional Transportation Improvement Plan
RWQCB	Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SAPR	Sampling and Analysis Plan Report
SB	Senate Bill
SDAB	San Diego Air Basin
SDAPCD	San Diego County Air Pollution Control District
SDG&E	San Diego Gas and Electric
SIP	State Implementation Plan
SMARTS	Stormwater Multiple Application and Report Tracking System
SPCC	Spill Prevention Control and Countermeasure
SRA	shaded riverine aquatic
SSC	Species of Special Concern
SWA	Sweetwater Authority
SWPPP	Storm Water Pollution Prevention Plan

Acronym	Definition
SWQMP	Storm Water Quality Management Plan
SWRCB	State Water Resources Control Board
T-BACT	Toxics Best Available Control Technology
TAC	toxic air contaminant
TBD	to be determined
TBtu	trillion British thermal unit(s)
TMDL	total maximum daily load
TSDF	treatment, storage, and disposal facility
US	United States
USACE	US Army Corps of Engineers
USC	*United States Code*
USDOT	US Department of Transportation
USFWS	US Fish and Wildlife Service
USGS	US Geological Survey
UWMP	Urban Water Management Plan
VGP	Vessel General Permit
VMT	vehicle miles traveled
VOC	volatile organic compounds
WDR	waste discharge requirements
WQIP	Water Quality Improvement Plans
ZTS	Zero Take Strategy

Chapter 1 Introduction

1.0 Organization of the Final Environmental Impact Report

Discussion related to the Final Environmental Impact Report (EIR) is provided in Section 1.4.3. Section 1.4.3.1 describes the public review period and provides a list of all Public Agency and interested parties that commented on the Draft EIR. Section 1.4.3.2 includes a copy of the comment letter, responses to the comment letter, and as applicable, a reference to where any revisions because of the comment can be found within the Final EIR.

This Final EIR shows the revisions and modifications that have been made to the Draft EIR based on comments received during the public review period and any minor changes or clarifications by the San Diego County Air Pollution Control District (SDAPCD) during their review of the Final EIR. Changed text is indicated within the Final EIR by a line in the margin. Changes resulting from comments on the Draft EIR during the public review period are also identified within the response to comments in Section 1.4.3.2. Table 1-1 provides a summary of changes made between the Draft EIR to the Final EIR.

Table 1-1. Summary of Changes from the Draft EIR to the Final EIR

Chapter	Section	Change
Executive Summary	Introduction/Background	Section has been revised to reflect the change from a Draft EIR to a Final EIR.
Executive Summary	Project Operational Activities	Project operational work hours have been corrected to 6:00 am to 4:00 pm. Also, the description of the FDD evolutions has been revised to provide additional details requested by CDFW.
Chapter 1	Section 1.0	This is a new section that has been added to describe the organization of the Final EIR
Chapter 1	Section 1.2	This section has been revised to reflect the change from a Draft EIR to a Final EIR including a discussion of the public review period for the Draft EIR.
Chapter 1	Section 1.3.1	Section has been revised to explain why a findings, a statement of overriding consideration or a mitigation monitoring and reporting plan are not required.

Table 1-1. Summary of Changes from the Draft EIR to the Final EIR

Chapter	Section	Change
Chapter 1	Section 1.4.1	Section has been revised to indicate that SDAPCD did not receive any comments during the public review period on the resource areas discussed in Sections 1.4.1.1 through-1.4.1.6.
Chapter 1	Section 1.4.3	This entire section has been added to describe the preparation of the Final EIR and provide responses to comments.
Chapter 2	Section 2.5.3.2	This section has been revised to include an expanded description of FDD evolutions as requested by CDFW.
Chapter 2	Section 2.5.3.4	The working hours have been corrected to 6:00 am to 4:00 pm.
Chapter 2	Table 2-1	Project Minimization Measure BIO-7: Conduct pre-construction caulerpa survey, was added.
Chapter 3	Section 3.3.1	Added a statement about a caulerpa survey conducted in May 2023.
Chapter 3	Section 3.3.4, Threshold 1, Operations	The impact analysis from FDD ballast tank operations has been expanded to address comments from CDFW.
Chapter 3	Section 3.3.4, Threshold 2, Construction	A discussion of in-water construction impacts related to spread of caulerpa has been added in response to comments from CDFW.
Chapter 3	Section 3.3.4, Threshold 2, Operations	A clarification about FDD ballast tank operations was made for consistency with other edits made under Threshold 1 in response to CDFW comments.
Chapter 4	Section 4.3.1	The working hours have been corrected to 6:00 am to 4:00 pm.

None of the revisions resulted in changes to significance findings. As provided in Section 15088(c) of the State *California Environmental Quality Act* (CEQA) Guidelines, responses to comments may take the form of a revision to a Draft EIR or may be a separate section in the Final EIR. This Final EIR uses the first of these. These notations are meant to provide clarification, corrections, or minor revisions as needed because of public comments or because of changes in the proposed project since the release of the Draft EIR.

During SDAPCD review of the Final EIR, all changes and clarifications were reviewed to determine whether they warranted recirculation of the EIR before certification in accordance with the CEQA Guidelines and Statutes. The SDAPCD has determined that changes and modifications shown within this Final EIR would not result in any new significant environmental impacts or a substantial increase in the severity of an existing environmental effect. There were

no significant impacts identified in the Draft EIR, and there would not be any new or increased significant effects on the environment because of changes and clarifications within the Final EIR. In addition, no new alternatives were identified that would reduce significant effects of the proposed project. Therefore, recirculation is not required consistent with *Public Resources Code* (PRC) Section 21092.1 and CEQA Guidelines Section 15088.5.

1.1 Project Overview

Austal USA is proposing the Floating Dry Dock (FDD) project (proposed project) in the San Diego Bay at its facility (Figure 1-1). The Austal USA facility consists of tidelands and water areas leased from the Port of San Diego (Port) and the US Navy (Navy) (Figure 1-2). The FDD is proposed for placement and operation in the portion of the Austal USA facility that is leased from the Navy in San Diego Bay and is adjacent to southern boundary of Naval Base San Diego (NBSD). The proposed project is intended to address a projected shortfall of dry dock facilities at the NBSD and would provide governmental and commercial customers, including the Navy, with ship repair and maintenance capabilities.

1.2 Purpose of the California Environmental Quality Act and the Environmental Impact Report

The overall intent of the CEQA, as codified in PRC Section 21000 et seq. is to:

- Identify the significant effects on the environment of a proposed project, identify possible ways to avoid or minimize those significant effects, where feasible, and identify reasonable alternatives.
- Disclose the project's environmental effects on the public, the agency decision-makers who would approve or deny the project, and the responsible and trustee agencies charged with managing resources (for example, wildlife, air quality) that may be affected by the project.
- Provide a forum for public participation in the decision-making process with respect to environmental effects.

This Final EIR was prepared in accordance with CEQA and the CEQA Guidelines (per 14 *California Code of Regulations* [CCR] Section 15000 et seq.) and is intended to provide the environmental information necessary for SDAPCD to make final decisions regarding permitting construction and operation of the proposed project. The SDAPCD is the lead agency for the proposed project in accordance with CEQA. This Final EIR is also intended to support discretionary reviews and decisions related to the proposed project by other agencies that are listed in Section 1.3.1. Implementation of the proposed project will require other discretionary actions by other government agencies, as described in Section 1.3.2.

Figure 1-1. Vicinity Map

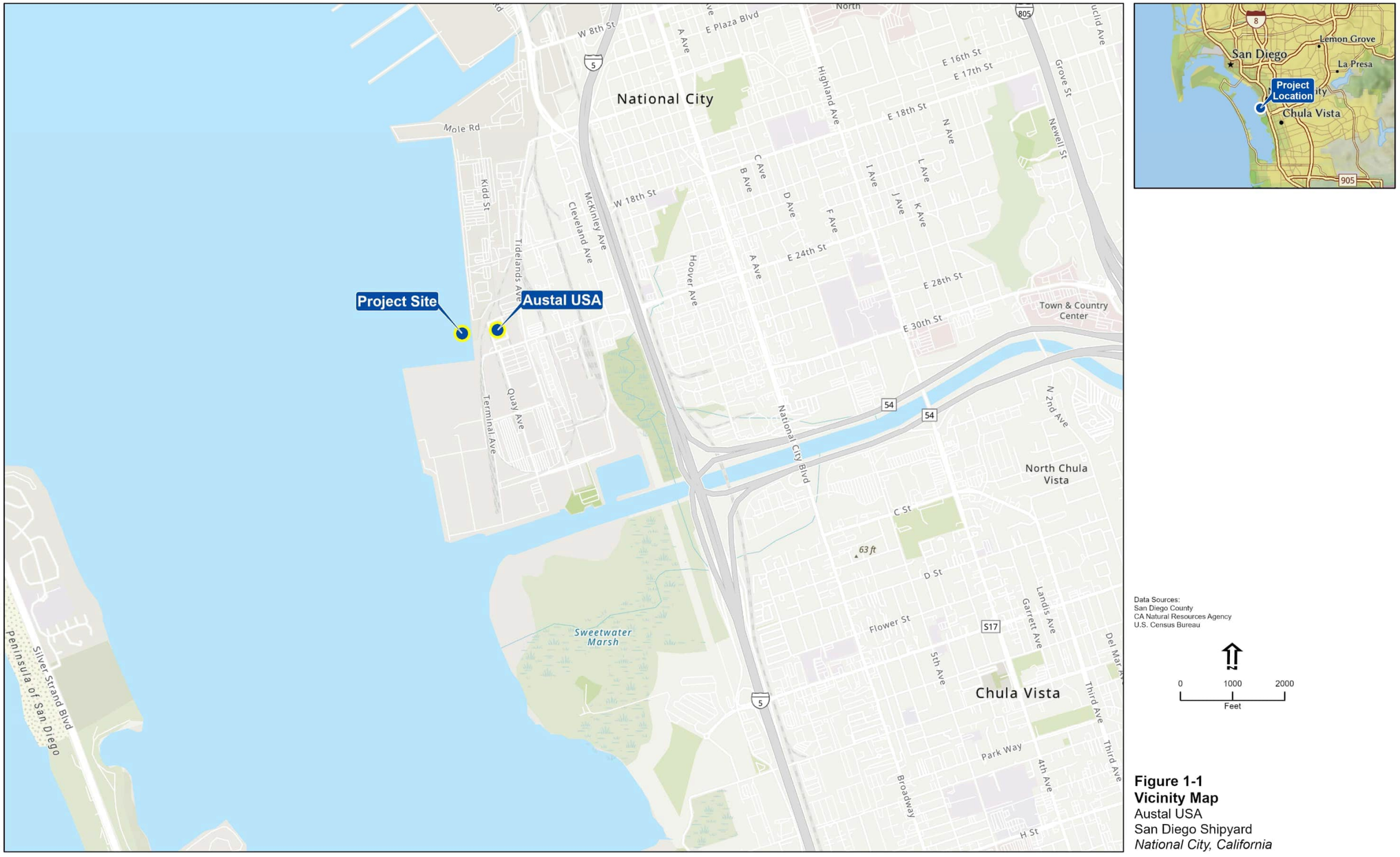

Figure 1-1
Vicinity Map
Austal USA
San Diego Shipyard
National City, California

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Figure 1-2. Austal USA Facility Map

Figure 1-2
Austal USA Facility Map
Austal USA
San Diego Shipyard
National City, California

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CEQA has detailed requirements for the environmental review process for an EIR, which are summarized in this section.

A *Notice of Preparation* (NOP) accompanied by an *Initial Study* was distributed to the California State Clearinghouse and to other public agencies (Appendix A). The NOP was published on September 11, 2024, and the review period for the *Initial Study* was from September 11, 2024, to October 3, 2024. A scoping meeting was held on September 17, 2024, at the National City Library in National City, California.

Specific environmental issues raised in the comments on the NOP are summarized in Section 1.4.2. Comments received on the *Initial Study* during scoping have been considered and addressed in this EIR where applicable.

This Draft EIR was subject to a 45-day public review and comment period as mandated by CEQA Guidelines Section 15105. During the review and comment period, from April 29 to June 12, 2025, interested parties were able to submit written comments on the Draft EIR., Comments received on the FDD project and SDAPCD responses are included in sSection 1.4.3, and any associated revisions have been incorporated into the Final EIR as appropriate. As required by CEQA, responses to comments submitted by responsible public agencies will be distributed to those agencies for review at least 10 days before consideration of the Final EIR by SDAPCD.

In addition, during the public review and comment period, SDAPCD presented the project at the virtual Portside Steering Committee meeting on May 27, 2025. The presentation provided a project overview, summarized the project impacts, provided information about where the public could find the Draft EIR for review, and discussed the CEQA process, including how and where the public could provide their written comments on the project.

The SDAPCD has considered the adequacy of the Final EIR, including revisions and modifications based on the agency/public comments on the EIR and has determined that the EIR has been prepared in accordance with all requirements of CEQA. The record shows that the FDD would not result in significant impacts, does not require any mitigation measures, and pursuant to CEQA, the SDAPCD intends to approve the proposed project and certify the Final EIR.

1.3 Intended Uses of the Environmental Impact Report

SDAPCD is the lead agency for the proposed project, pursuant to CEQA. The intended uses of this EIR include complying with CEQA and providing information needed by the SDAPCD to make decisions regarding project approvals and conditions.

This EIR is also intended to support federal, state, and regional and/or local government discretionary approvals that may be required to develop the proposed project. The agencies and a list of their respective approval authorities are discussed below.

1.3.1 Agencies Expected to Use the Environmental Impact Report

The SDAPCD is the CEQA lead agency, as defined under CEQA Guidelines Sections 15050 and 15051, because it has principal responsibility for approving the project. As the lead agency, the SDAPCD also has primary responsibility for complying with CEQA. As such, the SDAPCD has

analyzed the environmental effects of the project; the results of that analysis are presented in this Final EIR. The SDAPCD is responsible for certifying the Final EIR and approving the Findings of Fact and Statement of Overriding Considerations pursuant to CEQA Guidelines Sections 15090–15093, prior to project approval. Based on SDAPCD review of the comments and responses on the EIR and analysis of the significance of the FDD impacts on the environment, there are no significant impacts, and SDAPCD is not required to make findings, issue a statement of overriding consideration, or adopt a mitigation monitoring and reporting plan. SDAPCD intends to approve and certify the Final EIR and use it in support of authorizing issuance of an Authority to Construct and Permit to Operate the FDD as described within this Final EIR. In addition, SDAPCD will use the Final EIR to support authorization of, permits for several project operations activities at the Austal USA facility.

1.3.2 Permits and Other Approvals Required

Table 1-2 lists the permits and other approvals required for the proposed project.

Table 1-2. Permits, Approvals, and Agreements Needed for the Proposed Project

Permit Type/Action	Agency
Rivers and Harbors Act Section 10 and Marine Protection, Research and Sanctuaries Act Section 103 Permit	US Army Corps of Engineers (USACE)
Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements Order	San Diego Regional Water Quality Control Board (RWQCB)
District Conditional Project Approval	Port
Authority to Construct and Operate	SDAPCD
Modified permit for coating operations; new permits for welding, abrasive blasting, adhesives, FDD emergency engines, and site-wide emergency engines	SDAPCD

1.3.3 Related Environmental Review and Consultation Requirements

The Navy submitted a consultation letter regarding potential impacts on threatened green sea turtles (*Chelonia mydas*) to the National Marine Fisheries Service (NMFS) on February 11, 2020, pursuant to Section 7 of the federal *Endangered Species Act* (ESA). On March 25, 2020, NMFS provided concurrence with the determination that the proposed installation and operation of the FDD is not likely to adversely affect species listed as threatened or endangered or their critical habitats as designated under the federal ESA (Appendix C).

The Navy also submitted an Essential Fish Habitat (EFH) Assessment to NMFS that proposed compensatory mitigation for impacts on eelgrass (genus *Zostera*) habitat. On April 14, 2020, NMFS stated that they had no objection to the Navy's proposed compensatory mitigation and that they had no additional EFH conservation recommendations (Appendix C).

The Navy prepared a Coastal Consistency Negative Determination (Appendix D), and the California Coastal Commission provided concurrence on December 31, 2020, concluding that there would be no adverse effects on coastal resources or uses.

As discussed in more detail in Section 2.1, and pursuant to the *National Environmental Policy Act* (NEPA), the Navy prepared an Environmental Assessment (EA) addressing construction and operation of an FDD at two alternate locations: Alternative 1 at NBSD Mole Pier, and Alternative 2 South of Pier 14 (now the Austal USA facility). In May 2020, the Navy signed an EA and a Finding of No Significant Impact (FONSI) for Alternative 2 only (FDD at the Austal USA facility). In March 2023, the San Diego RWQCB prepared a supplement to the Navy's EA that allowed them to rely on the NEPA document for their discretionary action under CEQA and issue Austal USA a CWA Section 401 Water Quality Certification (Order R9-2023-0030 under CWA Section 401 Water Quality Certification and WDR Order 2003-0017-DWQ).

1.4 Scope and Content of the Final Environmental Impact Report

Based on the analysis undertaken in the *Initial Study* (Appendix A), the SDAPCD determined that the proposed project may have a significant effect on the environment and that the preparation of an EIR was required for compliance with CEQA. As a result of the analysis undertaken in the *Initial Study* (Appendix A), it was determined that the proposed project would not result in impacts on agriculture and forestry resources, cultural resources, land use, mineral resources, recreation, and wildfire (Section 1.4.1). These resource areas will receive no further analysis in this EIR. The proposed project has the potential to result in impacts on 13 environmental resources as identified in CEQA Guidelines' Appendix G checklist, which are the subject of the detailed evaluation undertaken in this EIR. These resource topics are:

- Aesthetics
- Air Quality
- Biological Resources
- Energy Use
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Population and Housing
- Public Services
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities and Service Systems

In addition, this EIR addresses the cumulative impacts of the proposed project in connection with other past, present, and probable future projects, on these resources. This EIR also addresses significant and unavoidable environmental effects, significant irreversible environmental changes, and the potential growth-inducing impacts of the proposed project. This EIR also includes a discussion of alternatives to the proposed project and analysis of the No Project/No Build Alternative.

1.4.1 Environmental Effects Not Found to be Significant

CEQA Guidelines Section 15128 requires an EIR to contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.

Per CEQA Guidelines Section 15143, effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further in the EIR. The *Initial Study* (Appendix A) determined that the proposed project would not result in potentially significant impacts on

some environmental resource areas and that no further analysis of these resource areas is warranted. *Initial Study* findings for these resources are summarized below. SDAPCD did not receive any comments during the public review period on these resource areas discussed in Sections 1.4.1.1 through 1.4.1.6.

1.4.1.1 Agriculture and Forestry Resources

The proposed project is located in a developed industrial area that is not mapped as farmland by the Farmland Mapping and Monitoring Program of the California Natural Resources Agency. The proposed project site also is not located on any land zoned for agricultural use or under a *California Land Conservation Act of 1965* (Williamson Act) contract and would not conflict with any existing zoning for agricultural use or convert any farmland to non-agricultural use. The proposed project site does not contain any land uses zoned for forest land, timberland, or timber production; therefore, the proposed project would not conflict with any existing zoning for, or cause rezoning of, forest land, timberland, or timberland production zones. No impact on agriculture or forestry resources would occur and no further analysis of this resource area is necessary.

1.4.1.2 Cultural Resources

There are no designated historic properties located within the area of potential effect (APE) for the proposed project, and construction and operation of the proposed project would not affect listed, contributing, or eligible properties on the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR). Construction and operation of the proposed project has no potential to cause a substantial adverse change in the significance of a historical resource. The proposed project site is located in open waters of the San Diego Bay and harbor fill land developed with buildings and pavement. This area is not conducive to preservation of archaeological deposits. Construction of the proposed project is not anticipated to affect archaeological resources, and operational activities would not result in disturbance of any soils or Bay muds. Given the developed nature of the proposed project site, there is no potential for the presence of intact buried archaeological resources to occur, and human remains are extremely unlikely to be present; therefore, archaeological resources would not be adversely affected by the proposed project. No impact on historical resources or archaeological resources or human remains would occur, and no further cultural resources analysis is necessary.

1.4.1.3 Land Use

The proposed project site consists of open waters of the San Diego Bay and adjacent land areas within the City of National City, specifically land that is leased from the Navy and the Port. The site is in an area that is developed for military and marine-related industrial and ship berthing uses, and adjacent areas are industrial. Construction and operation of the proposed project would not physically divide an established community or remove any access to neighborhoods or businesses. Additionally, construction and operation of the proposed project would be consistent with applicable coastal zone management plans (Section 1.3.3 and Section 2.6) and existing and planned land uses designated by local jurisdictional plans and policies, including

the Port and the City of National City. No impact on land use and planning would occur, and no further analysis of this resource area is necessary.

1.4.1.4 Mineral Resources

The proposed project site is classified as Mineral Resource Zone (MRZ) 1, which indicates there are no significant mineral deposits in the area (City of San Diego 2024). Additionally, the proposed project area is not identified as important for recovery of mineral resources by the City of National City and is not designated as a locally important mineral resources recovery site by the City of San Diego (National City 2011b; City of San Diego 2024). Construction and operation of the proposed project would not result in the loss of availability of a known mineral resource or the loss of availability of a locally important mineral resource recovery site. No impact on mineral resources would occur, and no further analysis of this resource area is necessary.

1.4.1.5 Recreation

The proposed project is in a developed industrial area in a secured area that does not contain recreational use areas and is not accessible to the public for recreation. Public access to coastal recreation at the proposed project site is also restricted as it is located in a federal defense installation, which is also in the secure Austal USA facility. Construction workers and operations employees would be locally sourced; therefore, construction and operation of the proposed project would result in a negligible increase in local population and would not affect the demand for or use of existing parks and other recreational facilities. There is no potential for construction or operation of the proposed project to result in the increased use of existing neighborhood and regional parks and other recreational facilities such that substantial physical deterioration of these resources would occur. Additionally, the proposed project does not include construction or expansion of recreational facilities. No impact on recreation would occur, and no further analysis of this resource area is necessary.

1.4.1.6 Wildfire

The proposed project is within the existing Austal USA facility over open water and on paved surfaces directly adjacent to San Diego Bay. The proposed project is not in or near a state responsibility area or lands classified as very high fire hazard severity zones (CAL FIRE 2009, 2023). Therefore, no impact would occur, and further analysis of impacts related to wildfire is not necessary.

1.4.2 Comments Received in Response to the Notice of Preparation

Specific environmental issues raised in comments on the NOP are summarized by resource topic below. These topics are addressed in the applicable resource impact sections of Chapter 3, *Environmental Analysis*.

Air Quality

- Consistency with the *Maritime Clean Air Strategy* (MCAS) (Port 2021) and *Community Emissions Reduction Plan Portside Environmental Justice Neighborhoods* (CERP) (SDAPCD 2021)
- Use of zero-emission vehicles and electric equipment
- Use of Tier 4 equipment
- Toxic air contaminants from project operations

Biological Resources

- Disturbance of eelgrass habitat
- Spread of invasive seaweeds in the *Caulerpa* genus
- Impacts on fish and benthic organisms from turbidity caused by sediment disturbance
- Impacts on marine-dependent bird species
- Noise impact on marine species during construction
- Impacts from lighting
- Impact on marine species from FDD ballast tank operations

Energy and Greenhouse Gases

- Increase in energy use
- GHG generated from energy production
- GHG from traffic resulting from increased employment on site

Hydrology

- Turbidity and contaminants in Bay water from sediment disturbance
- Discharges of pollutants to water from FDD operations

Transportation

- Traffic resulting from increased employment on site

1.4.3 Preparation of the Final Environmental Impact Report

This Final EIR has been prepared in accordance with the requirements of the CEQA (PRC Section 21000 et seq.) and the State CEQA Guidelines (CCR Tit. 14, Section 15000 et seq.). The SDAPCD is the CEQA lead agency.

1.4.3.1 Distribution of the Draft EIR

As discussed in Section 1.2, the Draft EIR was distributed to the public and regulatory agencies on April 29, 2025, for a 45-day review period ending on June 12, 2025.

The public comment and response component of the CEQA process serves an essential role. It allows the respective lead agencies to assess the impacts of a project based on the analysis of other responsible, concerned, or adjacent agencies and interested parties, and it provides an opportunity to amplify and better explain the analyses that the lead agency have undertaken to determine the potential environmental impacts of a project. To that extent, responses to

comments are intended to provide complete and thorough explanations to commenting agencies and individuals and improve the overall understanding of the project for the decision-making bodies. SDAPCD received two comment letters on the Draft EIR during the public review period. Table 1-3 presents a list of those agencies, organizations, and individuals who commented on the Draft EIR.

Table 1-3. Agencies, Organizations, and Individuals Commenting on the Draft Environmental Impact Report

Agencies
California Department of Fish and Wildlife, Marine Division
Organizations
Environmental Health Coalition
Individuals
None

Changes made to the Draft EIR in response to comments include the following:

- Clarification and expansion of the description of FDD operational activities in Section 2.5.3.2
- Addition of project minimization measure BIO-7 requiring a pre-construction survey for caulerpa in Table 2-1
- Discussion of impacts related to caulerpa in Section 3.3.4
- Expansion of discussion of impacts from FDD operation in Section 3.3.4

1.4.3.2 Response to Comments

In accordance with CEQA (CEQA Guidelines Section 15088), SDAPCD has evaluated the comments on environmental issues received from agencies and other interested parties and has prepared written responses to each comment pertinent to the adequacy of the environmental analyses contained in the Draft EIR. Comment letters and responses are presented in the following paragraphs.

In compliance with CEQA Guidelines Section 15088(b), the written responses address the environmental issues raised. In addition, where appropriate, the basis for incorporating or not incorporating specific suggestions into the proposed project is provided. In each case, the SDAPCD has expended a good faith effort, supported by reasoned analysis, to respond to comments. This section includes responses only to the written comments received during the 45- day public review period. Some comments have prompted revisions to the text of the Draft EIR, which are referenced and shown within this Final EIR. A copy of each comment letter is provided, and responses to each comment are notated on the comment letter. All the comments received and the responses to those comments will be considered by the decision-makers before taking any action on the proposed project.

The responses to comments provide the following information:

- First and foremost, the responses address the environmental concerns raised by the comments and describe how they are addressed in the document.
- They provide corrections to the text, where such corrections are warranted.
- They expand on or provide minor clarifications to information already included in the Draft EIR in those instances where comments question this information.

None of the conditions warranting recirculation of the EIR, as specified in CEQA Guidelines Section 15088.5 has occurred. Neither SDAPCD's responses to comments nor any of the information clarified or modified in the Final EIR would cause new significant impacts or increase the severity of an existing significant impact because none were identified in the Draft EIR. No feasible alternatives have been recommended that would avoid a significant impact, wherein the applicant has refused to adopt such an alternative. As to the adequacy of the Draft EIR, SDAPCD believes, based on its consideration of all substantial evidence presented to and before it, the EIR is complete and fully compliant with CEQA.

Comment Letter: State of California – Natural Resources Agency Department of Fish and Wildlife

Craig Shuman, D. Env Marine Regional

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Marine Region
1933 Cliff Drive, Suite 9
Santa Barbara, CA 93109
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

June 10, 2025

Eric Luther
Supervising Air Resources Specialist
San Diego County Air Pollution Control District
10124 Old Grove Road
San Diego, CA 92131
Eric.luther@sdapcd.org

AUSTAL USA FLOATING DRY DOCK PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT
SCH #2024090037

Dear Mr. Luther:

The California Department of Fish and Wildlife (Department) received a Draft Environmental Impact Report (DEIR) from the San Diego County Air Pollution Control District (District) for the Austal USA Floating Dry Dock Project (Project), pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that the Department, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

DEPARTMENT ROLE

The Department is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state. (Fish & G. Code, section 711.7, subd. (a) & 1802; Pub. Resources Code, section 21070; CEQA Guidelines section 15386, subd. (a).) The Department, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, section 1802.) Similarly for purposes of CEQA, the Department is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. The Department is also responsible for marine biodiversity protection under the Marine Life Protection Act in coastal marine

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

Response to Comment CDFW-1.

CDFW recommends SDAPCD describe how seawater would be pumped into the integral ballast tanks in a manner that minimizes impacts to marine life. Below is a summary of how the ballast tanks are filled and how impacts are inherently minimized.

Integral ballast tanks are filled with water through a gravity-fed system to allow the floating dry dock (FDD) to submerge (i.e., sink) for vessels to dock. A slotted screen is installed on the external surface of the FDD. This screen is designed to keep large objects from being entrained. Behind the screens are intake pipes leading to 12-inch valves. These 12-inch valves feed water into the ballast tanks. When the valves are opened, water from the surrounding area flows directly inwards. No electric pumps are involved in this part of the evolution. Additional specifications related to the water intake system including but not limited to the maximum volume of water held in the ballast tanks, number of valves that feed water from San Diego Bay into the ballast tanks, intake velocities, screen size, and structure placement are provided in Section 2.5.3.2 of the Final FEIR.

The operational design of the project minimizes impacts to marine life in part because of the temporary nature of filling the ballast tanks. The potential interaction between the intake valves and organisms that may be

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waters of California, and ensuring fisheries are sustainably managed under the Marine Life Management Act.

PROJECT DESCRIPTION SUMMARY

Proponent: Austal USA

Objective: The Project proposes to add a new floating dry dock to support operations, ship repair, and maintenance for governmental and commercial customers, including the United States Department of the Navy, at a location adjacent to the Naval Base San Diego. The proposed Project will be operated by Austal USA and includes the construction of a wharf, mooring dolphin piers, and the floating dry dock emplacement. The floating dry dock was constructed offsite and is currently moored at the Austal USA facility in the water south of the South Pier. Dredging to facilitate installation and operation of the proposed floating dry dock and installation of in-water piles to support a concrete wharf have been completed in accordance with the United States Army Corps of Engineers and San Diego Regional Water Quality Control Board requirements at the Austal USA facility.

Primary Project activities include the use of specialized overwater construction equipment such as floating cranes, barges, tugboats, and hydraulic vibrators and/or diesel-powered impact hammers. In-water work to support the floating dry dock includes installing two mooring dolphin piers located forward and aft of the floating dry dock and a concrete wharf ramp that would extend from the bulkhead toward the floating dry dock. The concrete wharf would be supported by 33 24-inch octagonal concrete piles (three of which are currently pending installation). The mooring dolphins would each be supported by 24-inch octagonal concrete piles and 22 concrete piles would be installed to support the mooring dolphins. For the mooring dolphins, 12 steel H piles would be installed to support the templates for the concrete piles and will be removed once the concrete piles have been installed. An additional 10 steel H piles would be installed permanently on the offshore mooring dolphin as part of the fender system. The DEIR indicated that concrete piles would be installed using an impact pile driver and steel H piles would be installed using a vibratory hammer. The floating dry dock will be transported using two tugboats with up to 1,000 horsepower and grippers would be secured to the mooring dolphin's concrete pile caps to hold the floating dry dock in position. The floating dry dock emplacement would shade approximately 2.1 acres of deep subtidal habitat that was created by past dredging.

The proposed Project's operational activities include the floating dry dock vessel repair and maintenance, lowering and raising of the floating dry dock (i.e., dry-docking evolutions), dry dock maintenance, pedestrian and vehicle traffic access/parking, utilities, saltwater fire suppression, North Pier and South Pier activities, and emergency engines waste disposal. Dry-docking evolutions would be accomplished via integral ballast tanks that would be pumped with seawater to submerge the floating dry dock and drained to float the dry dock. Vessels would be moved into and out of the floating

entrained or impinged is inherently reduced because docking evolutions would occur no more than 4 times annually (a single evolution involves the filling of ballast tanks twice). Potential exposure is also reduced, as the ballast tank valves are only opened during submergence operations. During normal operations, the submergence of the FDD takes 45 minutes. The initial submergence would take no more than 120 minutes. This extended duration accounts for additional time needed to fill the empty ballast tanks and fully submerge the FDD from its initial dry state, without residual ballast water. For the subsequent submergence cycles, valves would only be open for 45 minutes because residual ballast water would be retained from the initial submergence. When the FDD is not in use between evolutions, it remains in a floating position and valves remain closed. Additional details are included in Section 2.5.3.2 of the Final EIR.

The project site is in a previously dredged, deep subtidal habitat. It lacks eelgrass and attached algae. This habitat is comparatively less suitable for marine organisms, including species of commercial, recreational, and biological importance, than other more vegetated (and productive) parts of San Diego Bay. Information that further supports this claim, and how the project site lends itself to a less than significant effects determination, is provided in Section 3.3.4 Threshold 1 Operations Impacts of the Final EIR.

CDFW expressed concern that the Draft EIR does not address how the FDD complies with regulatory

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dry dock by tugboats and dry-docking evolutions would occur up to four times per year. Maintenance activities of the floating dry dock may include touchup painting, maintenance of equipment, tank cleaning, sheet metal work, electrical work, mechanical repair, and repair/replacement of valves and fittings. Vessel repair and maintenance activities at the proposed floating dry dock may include abrasive blasting, hydro-blasting, metal grinding, painting, tank cleaning, removal of bilge and ballast water, removal of anti-fouling paint, sheet metal work, electrical work, mechanical repair, engine repair, hull repair, shaft repair, propeller and rudder repair, repair/replacement of the sea valves and fittings below the waterline, and sewage disposal.

Location: The Project site is located at 1313 Bay Marina Drive, National City, California 91950. The proposed Project site is immediately south of and adjacent to Naval Base San Diego (NBSD, 32nd Street Naval Station), and immediately north of and adjacent to the Port of San Diego's National City Marine Terminal in San Diego Bay, San Diego County, California.

Timeframe: The anticipated construction start date was not included in the DEIR, but the proposed construction activities would occur over a period of approximately 8 weeks.

BIOLOGICAL SIGNIFICANCE

Discussion and Comment: The San Diego Bay waters support many resident and migratory fish and special status wildlife such as seabirds, marine mammals, and sea turtles. Important marine plants such as eelgrass (*Zostera marina*) support those fish and wildlife species and may be present throughout shallow coastal environments in the San Diego Bay. Eelgrass is important as fish nursery habitat and supports juvenile and adult fish. The San Diego Bay waters also support commercially and recreationally important fish and invertebrate species such as California halibut (*Paralichthys californicus*), California spiny lobster (*Panulirus interruptus*), and Northern anchovy (*Engraulis mordax*), which is an important forage fish.

COMMENTS AND RECOMMENDATIONS

The Department offers the comments and recommendations below to assist the District in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife resources.

I. Project Level Impacts and Other Considerations

Floating Dry Dock Operations

Comments: The DEIR noted that dry-docking evolutions would be accomplished using integral ballast tanks that would be filled using an electric pump with seawater to submerge the floating dry dock. Dry-docking evolutions may directly harm and/or CDFW-1

requirements for screens to reduce potential impingement and entrainment of marine life and recommends the project use screens on the seawater intakes that comply with the Department of Fish and Game Fish Screening Criteria from June 19, 2000. However, the installation of fish screens that comply with these criteria is not a regulatory requirement for this project because CDFW is not issuing permits and no listed species within CDFW's jurisdiction are present. In addition, based on discussions with CDFW staff on June 23, 2025, it was clarified and confirmed there are no regulatory requirements for screens, but rather the screening criteria from June 19, 2000, are recommendations.

The recommendation to use CDFW's fish screens would limit the operational efficiency of the FDD and compromise safety. The screens would restrict the flow rate into the ballast tank, increasing the time it takes to flood the ballast tanks and thus the duration of each evolution. A longer evolution can become a safety concern in the event of inclement weather, where a vessel needs to be docked or undocked efficiently. The fish screens may also increase the likelihood of clogging the intake system with debris. A clog prohibiting a ballast tank from being filled could halt the drydocking evolution, thus posing an operational safety risk for FDD and the Government vessel itself.

Austal USA will continue investigating methods to minimize effects on marine organisms and collaborate

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cause mortality to marine organisms via entrainment or impingement as water is drawn into the ballast tanks. Entrainment occurs when smaller organisms such as algae, plankton, fish larvae, and eggs pass through intake screens and perish during the high pressure of floating dry dock operations. Impingement occurs when organisms become trapped against intake screens by the suction power as water is drawn into the system. The DEIR noted that it is unlikely that dry-docking evolutions would cause a significant adverse effect on marine species in San Diego Bay and evolutions are expected to occur up to four times per year. However, the Department remains concerned that the DEIR does not address how the floating dry dock operations will comply with regulatory requirements for screens to reduce potential impingement and entrainment of marine life.

Recommendations: The Department recommends that the floating dry dock operations use screens on seawater intakes to minimize the entrainment and impingement of species, including species of commercial, recreational, and biological importance. All intake screens should meet the Department fish screening criteria (Attachment 1). Screen criteria for structure placement, approach velocity, sweeping velocity, screen openings, and screen construction should be detailed in the Final EIR in accordance with the Department's fish screening criteria. The Department recommends that the District describe how seawater will be pumped into the integral ballast tanks in a manner that minimizes impacts to marine life.

CDFW-1 continued

Invasive Species Impacts

Comments: Disturbance of the bottom sediments from pile construction and anchoring may redistribute non-native species that compete with native species. This could cause widespread adverse impacts to eelgrass and marine ecology. The invasive alga *Caulerpa taxifolia* is listed as a federal noxious weed under the U.S. Plant Protection Act and while deemed eradicated in 2006 is monitored for potential future emergence. Another invasive alga species found recently in Newport Bay and San Diego Bay is *Caulerpa prolifera*, which is also a potential threat to growth and expansion of native eelgrass beds and other native algae. *Caulerpa prolifera* can grow as deep as 50 meters and appears to be more tolerant of low light environments than most other macroalgae. Additionally, since all *Caulerpa* species pose a serious risk in harming native marine life, Fish and Game Code Section 2300 was amended in 2023 so that no person shall sell, possess, import, transport, transfer, release alive in the state, or give away without consideration all species of the genus *Caulerpa*, with the exception of bona fide scientific research upon authorization by the Department. The Department remains concerned that the DEIR did not discuss or acknowledge *Caulerpa* spp. as an invasive species impact in the Project area and did not indicate whether the District plans to conduct pre-construction *Caulerpa* spp. surveys.

Recommendations: The Department recommends conducting pre-construction *Caulerpa spp.* surveys to identify potential existence of invasive *Caulerpa spp.* in accordance with the Caulerpa Control Protocol

CDFW-2

with CDFW to minimize impacts to marine life. Per CDFW's recommendation and as discussed on June 23, 2025, Austal USA will further look into other methods of deterrence to be used during the time ballast tanks are being filled.

Response to Comment CDFW-2.

SDAPCD agrees that the project would result in in-water construction activity that would cause disturbance to the marine environment and, if present within the construction area, could result in spread of Caulerpa. In compliance with requirements of Austal USA's U.S. Army Corps of Engineers River and Harbors Act Section 10 and Marine Protection, Research and Sanctuaries Act Section 103 permit, and the San Diego Regional Water Quality Control Board Clean Water Act Section 401 Water Quality Certification, a pre-construction survey of the project area for Caulerpa would be conducted. Per the protocol, Austal USA would conduct a Caulerpa survey no earlier than 90 calendar days prior to planned work and not later than 30 calendar days prior to construction.

The Final EIR has been updated to provide additional discussion regarding Caulerpa pre-construction survey requirements in Section 3.3.4, Threshold 2, Construction Impacts. It has also been added as a minimization measure to Table 2-1 as "BIO-7: Conduct pre-construction Caulerpa survey". Austal USA shall furnish the results of the survey to the U.S. Army Corps of Engineers Regulatory Division, National Oceanic and

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https://media.fisheries.noaa.gov/2021-12/caulerpa-control-protocol-v5.pdf (October 2021). Any sightings of *Caulerpa spp.* should be reported within 24 hours to the Department (Caulerpa@wildlife.ca.gov), and National Marine Fisheries Service at 562-980-4037 (nmfs.wcr.caulerpa@noaa.gov). CDFW-2 continued

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, section 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be filled out and submitted online at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals. CDFW-3

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by the Department. Payment of the environmental document filing fee is required for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, section 753.5; Fish & G. Code, section 711.4; Pub. Resources Code, section 21089.) CDFW-4

CONCLUSION

The Department appreciates the opportunity to comment on the DEIR to assist the District in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Leslie Hart, Environmental Scientist at R7CEQA@wildlife.ca.gov.

Sincerely,

Craig Shuman, D. Env
Marine Regional Manager

ec: Claire Waggoner, Environmental Program Manager
Department of Fish and Wildlife

Eric Wilkins, Senior Environmental Scientist
Department of Fish and Wildlife

Atmospheric Administration Fisheries, and CDFW at least 15 calendar days prior to initiation of work in navigable waters. Should any Caulerpa be detected, work would not commence until such time as the infestation has been isolated, treated, and the risk of spread is eliminated.

It should be noted that a protocol survey for Caulerpa was last conducted in May 2023 and no Caulerpa was found. This information has been provided in the updates to the Final EIR in Section 3.3.1.

Response to Comment CDFW-3.

SDAPCD has reviewed this requirement with Austal USA. If any special status species or natural communities are observed during any project survey, Austal USA would report observations via the CNDDB Field Survey Form for inclusion within the CNDDB.

Response to Comment CDFW-4.

SDAPCD has reviewed this requirement with Austal USA and would ensure the Fish and Game Filing Fees are paid at the time of submittal of the Notice of Determination (NOD) to the County Clerk.

Response to Comment CDFW-5. See page 12 of 12 of CDFW comment letter

During preparation of the Draft EIR and in consideration of CDFW's scoping comments (letter dated September 30, 2024), SDAPCD coordinated with National Marine Fisheries Service (NMFS) West Coast Region (B. Chesney,

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San Diego County Air Pollution Control District
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Office of Planning and Research, State Clearinghouse
state.clearinghouse@opr.ca.gov

ATTACHMENT

Attachment 1: Department of Fish and Wildlife. 2011. Fish Screening Criteria.

personal communication, December 31, 2024) regarding the latest fish screening criteria and SDAPCD confirmed that San Diego Bay does not support anadromous fish populations and the NMFS Southwest Region's Fish Screening Criteria for Anadromous Salmonids does not directly apply to proposed project. This coordination effort and confirmation with NMFS were included in Section 3.3.1 of the Draft EIR. As discussed in the response to comment CDFW-1, Austal USA would voluntarily continue to coordinate with CDFW regarding potential ways to minimize the FDD ballast tank operations on general aquatic life within the bay. Please refer to the response to comment CDFW-1 for additional details.

DEPARTMENT OF FISH AND GAME
FISH SCREENING CRITERIA
June 19, 2000

1. STRUCTURE PLACEMENT

A. Streams And Rivers (flowing water): The screen face shall be parallel to the flow and adjacent bankline (water's edge), with the screen face at or streamward of a line defined by the annual low-flow water's edge.

The upstream and downstream transitions to the screen structure shall be designed and constructed to match the bankline, minimizing eddies upstream of, in front of, and downstream of, the screen.

Where feasible, this "on-stream" fish screen structure placement is preferred by the California Department of Fish and Game.

B. In Canals (flowing water): The screen structure shall be located as close to the river source as practical, in an effort to minimize the approach channel length and the fish return bypass length. This "in canal" fish screen location shall only be used where an "on-stream" screen design is not feasible. This situation is most common at existing diversion dams with headgate structures.

The National Marine Fisheries Service - Southwest Region "Fish Screening Criteria for Anadromous Salmonids, January 1997" shall be used for these types of installations.

C. Small Pumped Diversions: Small pumped diversions (less than 40 cubic-feet per second) which are screened using "manufactured, self-contained" screens shall conform to the National Marine Fisheries Service - Southwest Region "Fish Screening Criteria for Anadromous Salmonids, January 1997."

D. Non-Flowing Waters (tidal areas, lakes and reservoirs): The preferred location for the diversion intake structure shall be offshore, in deep water, to minimize fish contact with the diversion. Other configurations will be considered as exceptions to the screening criteria as described in Section 5.F. below.

2. APPROACH VELOCITY (Local velocity component perpendicular to the screen face)

A. Flow Uniformity: The design of the screen shall distribute the approach velocity uniformly across the face of the screen. Provisions shall be made in the design of the screen to allow for adjustment of flow patterns. The intent is to ensure uniform flow distribution through the entire face of the screen as it is constructed and operated.

B. Self-Cleaning Screens:[1]

The U.S. Fish and Wildlife Service has selected a 0.2 feet per second approach velocity for use in waters where the Delta smelt is found. Thus, fish screens in the Sacramento-San Joaquin Delta and San Francisco Estuary should use this criterion for design purposes. In addition:

1. Streams and Rivers (flowing waters) - exposure to the fish screen shall not exceed fifteen minutes.

[1] Approach velocities in the June 19, 2000 Fish Screening Criteria that are inapplicable if delta smelt are present are omitted.

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DEPARTMENT OF FISH AND GAME
FISH SCREENING CRITERIA
June 19, 2000

2. In Canals (flowing waters) - a bypass entrance shall be located every one-minute of travel time along the screen face.
3. Non-Flowing Waters (tidal areas, lakes and reservoirs) - The specific screen approach velocity shall be determined for each installation, based on the delta smelt life stage being protected. Velocities which exceed those described above will require a variance to these criteria (see Section 5.F. below).

C. Screens Which Are Not Self-Cleaning: The screens shall be designed with an approach velocity one-fourth that outlined in Section B. above. The screen shall be cleaned before the approach velocity exceeds the criteria described in Section B.

D. Frequency Of Cleaning: Fish screens shall be cleaned as frequently as necessary to prevent flow impedance and violation of the approach velocity criteria. A cleaning cycle once every 5 minutes is deemed to meet this standard.

E. Screen Area Calculation: The required wetted screen area (square feet), excluding the area affected by structural components (i.e., pore space or open area), is calculated by dividing the **maximum** diverted flow (cubic-feet per second) by the allowable approach velocity (feet per second). Example:

1.0 cubic-feet per second / 0.2 feet per second = 5.0 square feet of pore space

Unless otherwise specifically agreed to, this calculation shall be done at the **minimum** stream stage.

3. SWEEPING VELOCITY (Velocity component parallel to screen face)

A. In Streams And Rivers: The sweeping velocity should be at least two times the allowable approach velocity.

B. In Canals: The sweeping velocity shall exceed the allowable approach velocity. Experience has shown that sweeping velocities of 2.0 feet per second (or greater) are preferable.

C. Design Considerations: Screen faces shall be designed flush with any adjacent screen bay piers or walls, to allow an unimpeded flow of water parallel to the screen face.

4. SCREEN OPENINGS

A. Porosity: The screen surface shall have a minimum open area of 27 percent. We recommend the maximum possible open area consistent with the availability of appropriate material, and structural design considerations.

The use of open areas less than 40 percent shall include consideration of increasing the screen surface area, to reduce slot velocities, assisting in both fish protection and screen cleaning.

B. Round Openings: Round openings in the screening shall not exceed 3.96mm (5/32in). In waters where steelhead rainbow trout fry are present, this dimension shall not exceed 2.38mm (3/32in).

C. Square Openings: Square openings in screening shall not exceed 3.96mm (5/32in) measured diagonally. In waters where steelhead rainbow trout fry are present, this dimension shall not exceed 2.38mm (3/32in) measured diagonally.

D. Slotted Openings: Slotted openings shall not exceed 2.38mm (3/32in) in width. In waters where steelhead rainbow trout fry are present, this dimension shall not exceed 1.75mm (0.0689in).

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DEPARTMENT OF FISH AND GAME
FISH SCREENING CRITERIA
June 19, 2000

5. SCREEN CONSTRUCTION

A. Material Selection: Screens may be constructed of any rigid material, perforated, woven, or slotted that provides water passage while physically excluding fish. The largest possible screen open area which is consistent with other project requirements should be used. Reducing the screen slot velocity is desirable both to protect fish and to ease cleaning requirements. Care should be taken to avoid the use of materials with sharp edges or projections which could harm fish.

B. Corrosion and Fouling Protection: Stainless steel or other corrosion-resistant material is the screen material recommended to reduce clogging due to corrosion. The use of both active and passive corrosion protection systems should be considered. Consideration should be given to anti-fouling material choices, to reduce biological fouling problems. Care should be taken not to use materials deemed deleterious to fish and other wildlife.

C. Project Review and Approval: Plans and design calculations, which show that all the applicable screening criteria have been met, shall be provided to the Department before written approval can be granted by the Regional Manager, Bay Delta Region.

The approval shall be documented in writing to the project sponsor, with a copy to the Deputy Director, Resource Management and Policy Division. Such approval may include a requirement for post-construction evaluation, monitoring and reporting.

D. Assurances: All fish screens constructed after the effective date of these criteria shall be designed and constructed to satisfy the current criteria. Owners of existing screens, approved by the Department prior to the effective date of these criteria, shall not be required to upgrade their facilities to satisfy the current criteria unless:

1. The controlling screen components deteriorate and require replacement (i.e., change the opening size or opening orientation when the screen panels or rotary drum screen coverings need replacing),
2. Relocation, modification or reconstruction (i.e., a change of screen alignment or an increase in the intake size to satisfy diversion requirements) of the intake facilities, or
3. The owner proposes to increase the rate of diversion which would result in violation of the criteria without additional modifications.

E. Supplemental Criteria: Supplemental criteria may be issued by the Department for a project, to accommodate new fish screening technology or to address species-specific or site-specific circumstances.

F. Variances: Written variances to these criteria may be granted with the approval of the Regional Manager, Bay Delta Region and concurrence from the Deputy Director, Resource Management and Policy Division. At a minimum, the rationale for the variance must be described and justified in the request. Evaluation and monitoring may be required as a condition of any variance, to ensure that the requested variance does not result in a reduced level of protection for the aquatic resources.

Page 3 of 4

DEPARTMENT OF FISH AND GAME
FISH SCREENING CRITERIA
June 19, 2000

It is the responsibility of the project sponsor to obtain the most current version of the appropriate fish screen criteria. Project sponsors should contact the Department of Fish and Game and the U.S. Fish and Wildlife Service (for projects in anadromous and fresh waters) for guidance.

Copies of the current criteria are available from the Department of Fish and Game Bay Delta Region; 7329 Silverado Trail/P.O. Box 46, Yountville, CA 94599, (707) 944-5500.

Technical assistance can be obtained directly from the Habitat Conservation Branch; 1416 Ninth Street, Sacramento, CA 95814 - (916) 653-1070.

The National Marine Fisheries Service Southwest Region "Fish Screening Criteria for Anadromous Salmonids, January 1997" is available at: http://swr.ucsd.edu/hcd/fishscrn.htm and from their Southwest Region, 777 Sonoma Avenue, Room 325, Santa Rosa, CA 95402 - (707) 575-6050.

CDFW-5

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Comment Letter: Coast Law Group

Livia B. Beaudin, Attorneys for Environmental Health Coalition

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June 12, 2025

San Diego County
Air Pollution Control District
10124 Old Grove Road
San Diego, CA 92131

Via Electronic Mail
Eric.Luther@sdapcd.org

RE: Austal USA Floating Dry Dock Draft Environmental Impact Report
Environmental Health Coalition Comments

Dear Mr. Luther:

Please accept the following comments regarding the Austal USA Floating Dry Dock project ("Project") on behalf of our client Environmental Health Coalition ("EHC"). As you are aware, for over 40 years EHC has been dedicated to achieving environmental and social justice by empowering San Diego communities. EHC advocates for Portside communities most directly impacted by industrial operations at the Port of San Diego ("Port"). EHC is also particularly worried about air quality impacts to sensitive receptors adjacent to the proposed Project.

The Project is inconsistent with local policies aimed at reducing air pollution from Port maritime and industrial operations. Specifically, mobile emissions will result in a cancer risk greater than one in one million at two locations. The DEIR incorrectly concludes the Project will not result in a significant air quality impact based on its use of an improper and unsupported threshold of significance.[1] The DEIR incorrectly states the San Diego APCD cancer risk threshold is ten in one million.[2] However, the Rule 1200 threshold is one in one million.

> "Cancer Burden" means the estimated potential increase in the occurrence of cancer cases in a population subject to an incremental cancer risk of greater than one in one million resulting from exposure to toxic air contaminants.[3]

If evidence is submitted tending to show that the environmental impact might be significant despite the significance standard used in the EIR, the agency must address that evidence.[4] Here, the DEIR not only uses the wrong standard of significance but also

[1] DEIR, p. 3-39.
[2] *Id.*
[3] Regulation XII, Rule 1200, (c)(2) and (d) available at https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-1200.pdf
[4] *Protect the Historic Amador Waterways v Amador Water Agency* (2004) 116 CA4th 1099, 1111.

EHC-1

Response to Comment EHC-1.

The San Diego County Air Pollution Control District (SDAPCD) confirms that the appropriate cancer risk threshold has been applied in accordance with Rule 1200. The comment appears to conflate two distinct concepts: cancer risk and cancer burden.

As defined in Rule 1200(c)(2), *cancer burden* refers to the estimated increase in cancer cases in a population exposed to an incremental cancer risk greater than one in one million. Rule 1200(e)(2) specifies that both cancer risk and cancer burden are to be estimated in accordance with the health risk assessment (HRA) guidelines adopted by the California Office of Environmental Health Hazard Assessment (OEHHA), pursuant to Health and Safety Code Section 44360.

Importantly, Rule 1200 does not establish a cancer burden threshold for projects with:

- An incremental cancer risk of ≤1 in one million without the use of Toxics Best Available Control Technology (T-BACT), or
- An incremental cancer risk of ≤10 in one million with T-BACT[Rule 1200(d)(1)(i) and (ii)].

The Proposed Project implements T-BACT, as discussed in Section 3.2.4.1 of the Draft Environmental Impact Report (EIR), and thus the use of the 10 in one million cancer risk threshold is appropriate.

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reveals the impact to the human health will be significant.

EHC-1 continued

As previously noted by APCD in a similar context, "[s]ince truck trips are directly related to the operation of the terminal, their emissions and associated health impacts should be included in the analysis of operational emissions from the project."[5]

TAC's associated with the Project are primarily from truck traffic, to which T-BACT has not been applied – leaving the TACs largely unaddressed. The definition of T-BACT underscores its inapplicability here:

> "**Toxics Best Available Control Technology (T-BACT)**" means the most effective emission limitation or emission control device or control technique which:
>
> (i) has been achieved in practice for that source or category of source; or
>
> (ii) is any other emissions limitation or control technique, including process and equipment changes of basic and control equipment and implementation of pollution prevention measures, found by the Air Pollution Control Officer to be technologically feasible for that source or category of source, or for a specific source. If there is an applicable MACT standard, the Air Pollution Control Officer shall evaluate it for equivalency with T-BACT.[6]

EHC-2

Rule 1200(d)(1) confirms the technology applied must actually address the TACs:

> (1) Cancer Risk
>
> (i) T-BACT Not Applied. The increase in maximum incremental cancer risk at every receptor location is equal to or less than one in one million for any project for which new, relocated, or modified **emission units that increases maximum incremental cancer risk are not equipped with T-BACT**; and
>
> (ii) T-BACT Applied. Except as provided in (d)(1)(iii), the increase in maximum incremental cancer risk at every receptor location is equal to or less than 10 in one million **for any project for which all new, relocated, or modified emission units that increases maximum incremental cancer risk are equipped with T-BACT**.

Thus, the emission units that increase cancer risk must be equipped with T-BACT in order to meaningfully reduce cancer risk. The DEIR's contrary conclusion that the Project has employed T-BACT in an attempt to justify the lower cancer risk threshold is therefore not supported by substantial evidence or the applicable regulations.

[5] SDAPCD Comments, June 28, 2023, p. 1.
[6] APCD Rule 1200(c)(24), underline added.

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The HRA conducted for the project—evaluating both stationary and mobile sources—fully complies with OEHHA guidelines. As shown in Table 4-8 of the HRA (Appendix E of the Draft EIR), the estimated cancer risks for residents, workers, and sensitive receptors are all below 10 in one million, even with the inclusion of emissions from haul trucks and maritime vessels.

Additionally, Table ES-1 of the HRA shows the cancer burden is 0.00, well below the 1.0 threshold that would require further evaluation under Rule 1200(d)(1)(iii)—which only applies when cancer risk exceeds 10 in one million.

In summary, the Proposed Project complies with all applicable risk and burden thresholds and will result in a less than significant impact to human health.

Based on the above, no updates to the Draft EIR are required.

Response to Comment EHC-2.

SDAPCD Rule 1200, including the definition and applicability of Toxics Best Available Control Technology (T-BACT), applies only to equipment or emission units subject to SDAPCD permitting requirements. As such, Rule 1200 does not apply to mobile sources such as trucks or marine vessels.

Rule 1200(c)(15) defines a *project* as:

"an emission unit or aggregation of emission units located at a stationary source for which an application or

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A recent study[7] found that PM2.5 exposure is associated with increases in risk for illness-related work absences, and exposure to wildfire smoke amplifies this impact. According to the findings in the study, every one unit increase in PM2.5 exposure could result in more than 1 million days of work loss due to sickness and a quarter-billion dollars of economic loss annually in California.[8] Thus, the Project's particulate matter emissions will result in negative health and economic impacts. **These substantial negative impacts on human beings result in a mandatory finding of significance**.[9] EHC-3

Therefore, the Project will result in significant undisclosed impacts.

Notably, mitigation measures are available and outlined in the DEIR.[10] Instead of allowing the Project applicant to "encourage" use of ZEV, carpooling, and the like, the DEIR should require these measures as part of the MMRP and conditions of approval. Imposition of such measures would also align the Project with the CERP.[11] Because the DEIR claims Austual USA "plans to limit vehicle and equipment idling and use alternative fuels or zero-emission vehicles/equipment," APCD should ensure those plans come to fruition through enforceable project conditions.[12] EHC-4

In addition, because this DEIR must be sufficient for use by the responsible agencies, including the Port, it is imperative that the entire project be analyzed and all of its impacts (including *all* TAC impacts) be analyzed and mitigated – not only those over which APCD has direct control or permitting authority. The APCD Rule 1200 reflects a cancer risk threshold that can and should be applied to all Project TAC emissions – especially where responsible agencies have authority to mitigate and condition the entire Project. EHC-5

The term "project" refers to the *activity* being approved, notwithstanding that the project may be subject to several discretionary approvals by multiple agencies. "The term 'project' does not mean each separate governmental approval." (Guidelines §15378(c)). The CEQA Guidelines define "project" as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..." (Guidelines §15378(a)). What EHC-6

[7] Ying-Ying Meng, Yu Yu, Mohammad Z. Al-Hamdan, Miriam E. Marlier, Joseph L. Wilkins, Diane Garcia-Gonzales, Xiao Chen, Michael Jerrett, *Short-Term total and wildfire fine particulate matter exposure and work loss in California, Environment International*, Volume 178, 2023, 108045, ISSN 0160-4120, available at https://www.sciencedirect.com/science/article/pii/S0160412023003185
[8] https://content.govdelivery.com/accounts/CARB/bulletins/35efe6f
[9] See, Pub. Res. Code §21083(b)(3) [mandatory finding of significance where "[t]he environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly."]; CEQA Guidelines §15065(a)(4)).
[10] DEIR, p. 3-31.
[11] DEIR, pp. 3-24 to 3-24.
[12] DEIR, p. 3-33.

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combination of applications for Authority to Construct or modified Permit to Operate are under District review."

In the case of the Proposed Project, the truck trips associated with operations are considered non-permitted mobile sources. Therefore, T-BACT requirements do not apply to these emissions. However, T-BACT was applied to all applicable permitted emission sources under SDAPCD jurisdiction.

Although mobile sources are not subject to T-BACT, toxic air contaminant (TAC) emissions from all mobile sources have been fully evaluated in the project's Health Risk Assessment (HRA). These emissions are included in the "Haul Road – Mobile Sources" and "Maritime Vessels" categories in the emissions tables for the HRA (Appendix E of the Draft EIR), including:

- Table 4-2: Maximum Hourly Operations TAC Emissions Summary (pounds per hour)
- Table 4-3: Annual Operations TAC Emissions Summary (pounds per year)

The HRA concluded that no significant health risk impacts would result from truck trip emissions. Therefore, no additional mitigation measures are required for this source category.

Based on the above, no updates to the Draft EIR are necessary.

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constitutes the "whole of the action" is a question of law. (*Tuolumne County Citizens for Responsible Growth, Inc., supra,* 155 Cal.App.4th at 1224).

> One way to evaluate which acts are part of a project is to examine how closely related the acts are to the overall objective of the project. The relationship between the particular act and the remainder of the project is sufficiently close when the proposed physical act is among the "various steps which taken together obtain an objective. [citation]" (*Id.* at 1226).

Thus, "[a]ll phases of project planning, implementation, and operation must be considered" in the initial assessment of the project's impacts. (Guidelines §15063(a)(1)).

EHC-6 continued

In conclusion, EHC encourages APCD to revisit the air quality and health risk analysis to ensure significant impacts are adequately analyzed and mitigated.

Thank you in advance for your consideration of our comments.

Sincerely,

COAST LAW GROUP LLP

Livia B. Beaudin
Attorneys for Environmental Health Coalition

Response to Comment EHC-3.

PM2.5 emissions for the project are presented in Tables 3.2-6, 3.2-7, and 3.2-8 as well as the applicable thresholds of significance. PM2.5 emissions would not result in any significant impacts. Particulate TAC emissions from operation and construction of the Proposed Project have been incorporated into the HRA. All operation and construction-related HRA results for the Proposed Project are below applicable significance thresholds, as shown in Table 4-8: Operation HRA Summary – Proposed Project and Table 4-9: Construction HRA Summary – Proposed Project, respectively, of the HRA report (Appendix E of the Draft EIR). Therefore, the Proposed Project's particulate emissions are not expected to have a significant health impact.

Based on the above, no updates to the Draft EIR are required.

Response to Comment EHC-4.

All measures which were used to estimate the Proposed Project's potential air emissions and potential health risk impacts (such as emission source operational restrictions), as summarized in Section 2.1, Emissions Information the HRA report (Appendix E of the Draft EIR), will be included as enforceable permit conditions for the Proposed Project/Facility by SDAPCD. Enforcement of these measures through compliance with the Proposed Project/Facility's permit conditions will ensure that the health risk impacts from the Proposed Project remain below significance thresholds.

Measures which were not used to estimate the Proposed Project's potential air emissions and potential health risk impacts have no bearing on whether the Proposed Project's health risk impacts remain below significance thresholds. Rather, these measures were included in the Draft EIR for informational purposes only to identify and discuss actions that Austal USA is considering as part of implementation of the Proposed Project. These measures are described as best management practices (BMPs) for non-permitted sources. The suggestions were to encourage the project proponent to consider such approaches, if possible, but since no credits were given to reduce the project impacts by the use of these measures, they are not being required as enforceable conditions for the project.

Based on the above, no updates to the Draft EIR are required.

Response to Comment EHC-5.

All short- and long-term TAC emissions released by construction and operation of the Proposed Project have been calculated and used to determine the Proposed Project's potential health risk results. As shown within the HRA report (Appendix E of the Draft EIR), the Proposed Project's potential health risk results demonstrate a less than significant impact relative to the CEQA applicable significance thresholds.

The HRA included emissions from both the Proposed Project's permitted and non-permitted emission sources

for any TAC that has an associated health risk, as established by the Office of Environmental Health Hazard Assessment (OEHHA) and California Air Resources Board's (ARB) Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values (January 2025). Note that the Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values includes all SDAPCD Rule 1200 TACs as well as others identified by OEHHA and CARB. Therefore, the HRA analyzed potential health risks for the entire Proposed Project with a comprehensive list of TACs.

Based on the above, no updates to the Draft EIR are required.

Response to Comment EHC-6.

As required by the California Environmental Quality Act (CEQA), the Draft EIR accounts for the entire 'project' and all activities associated with it. Specifically, Section 3.2, Air Quality and Appendix E of the Draft EIR account for air quality and health impacts, respectively, from construction and operation of the proposed Austal Floating Dry Dock. This includes permitted and non-permitted emission sources which will be utilized specifically to construct and/or operate the proposed Austal Floating Dry Dock.

Based on the above, no updates to the Draft EIR are required.

Chapter 2 Description of the Proposed Project

2.1 Proposed Project Background

The Navy has identified a projected shortfall of dry dock space at NBSD, and the proposed project is intended to help address the projected shortfall. The proposed project is the placement and operation of an FDD for repair and maintenance of governmental and commercial vessels at the Austal USA facility, which is adjacent to the NBSD.

The proposed project would provide Navy and other governmental and commercial customers with ship repair and maintenance capabilities. Within this existing facility, the FDD is owned by and would be operated by Austal USA and would be located within the NBSD property under a 66-year commercial lease agreement.

Austal USA is a US Government and commercial contractor that specializes in construction, repair and maintenance of ships for the Navy, other governmental entities, and commercial customers.

Austal USA's existing facility comprises 17 acres of tidelands property, which contains 10 acres of land and 7 acres of water consisting of areas leased from the Port and the Navy (Figure 1-2). Austal USA obtained possession of the facility on December 15, 2021. At that time, facility operations by the previous tenant, Marine Group Boat Works (MGBW), included new construction, maintenance, repair, and alterations (such as warehousing, storing, welding, blasting, painting, and similar) of yachts, commercial, and Navy marine vessels. Service and repair work by MGBW on yachts and commercial marine vessels ceased in January 2022. Current operations at the Austal USA operations building include minor metal fabrication to support vessels at NBSD. Ship components are brought onsite from NBSD for activities such as aluminum welding, grinding, and painting, and are returned when work is complete. Current operations at the South Pier also include vessel repair and maintenance activities.

Pursuant to NEPA, the Navy prepared an EA addressing construction and operation of an FDD at two alternate locations: Alternative 1 at NBSD Mole Pier and Alternative 2 South of Pier 14 (now the Austal USA facility). In May 2020, the Navy signed an EA and a FONSI for Alternative 2 only. The EA and FONSI included measures to avoid and minimize project impacts on the environment during construction and operation of the FDD. This included measures required by NMFS (Appendix C). The Final EA (NAVFAC SW 2020b) indicated that "emissions associated with the FDD would be evaluated by the SDAPCD as a part of the issuance of a "Permit to Operate," for which the Navy would apply and obtain prior to vessel maintenance." Austal USA acquired the lease for the proposed project location from the Navy to construct and operate the FDD. In

March 2023, the San Diego RWQCB issued Austal USA a CWA Section 401 Water Quality Certification in March 2023 (Order R9-2023-0030 under CWA Section 401 Water Quality Certification and WDR Order 2003-0017-DWQ). In June 2023, USACE also issued an RHA Section 10 and Marine Protection, Research and Sanctuaries Act Section 103 permit in (Permit PL-2022-00654-RRS) for dredging of the proposed project area, and for installing wharf piles and mooring dolphins (Appendix B).

Construction began on June 23, 2023, and dredging was completed on January 15, 2024. Installation of the associated piles for the wharf were underway when Austal USA applied to SDAPCD for a permit to operate the FDD. During SDAPCD review, it was acknowledged that because operational impacts had not been fully addressed in the Navy's EA (NAVFAC SW 202b), SDAPCD could not rely on the EA for issuance of a permit to operate the FDD. SDAPCD required Austal USA to cease all construction activities until after they received a permit to operate the FDD. SDAPCD is the CEQA lead agency for preparation of this EIR, which will evaluate the impacts of the remaining construction activities that include pile driving for the wharf ramp and mooring dolphins, completion of the wharf ramp, and operation of the FDD along with activities that would occur on the FDD (refer to Sections 2.5.2 and 2.5.3). Improvements completed prior to the work stoppage are part of the physical conditions at the time of the NOP and are therefore considered part of the baseline of environmental conditions for the proposed project in this EIR pursuant to CEQA.

2.2 Proposed Project Objectives

The Navy has identified a projected shortfall of dry dock space at NBSD. The objective of the proposed project is to help the Navy address this shortfall by adding a new FDD to support operations at a location adjacent to the NBSD. The proposed project would provide full docking availabilities for governmental and commercial vessels up to 500 feet long. Operation of the FDD would be in accordance with Department of Defense (DoD) Standard Practice MIL-STD 1625D, *Department of Defense Standard Practice: Safety Certification Program (SCP) for Drydocking Facilities and Shipbuilding Ways for US Navy Ships* (DoD 2009). Standard Practice MIL-STD 1625D is a required safety standard certification for dry-docking facilities for Navy ships and applies to Austal USA as a Navy contractor.

2.3 Proposed Project Location

The proposed project is located at the Austal USA facility at 1313 Bay Marina Drive, in National City, California. The proposed project is within San Diego Bay immediately south of and adjacent to NBSD at 32nd Street Naval Station and is immediately north of and adjacent to the Port's National City Marine Terminal in San Diego Bay, San Diego County, California (Figure 1-1).

2.4 Environmental Setting

2.4.1 Existing Land and Water Use Designations

The Austal USA facility is in the City of National City and consists of land and water areas leased from the Navy and from the Port (refer to Figure 1-2). The applicable land and water use designations are:

- *National City General Plan*: Military (National City 2011b)
- City of National City Zoning: Port Master Plan and Military within Coastal Zone overlay
- Port of San Diego *Port Master Plan* (PMP) (Port 2024a): Marine-Related Industrial (land), Specialized Berthing (water) and Navy Ship Berthing (water)

2.4.2 Surrounding Conditions

Land and submerged land areas adjacent to the Austal USA facility are designated by the Port as Marine-Related Industrial Specialized Berthing and Navy Ship Berthing, respectively. Adjacent Port areas to the south contain paved parking areas and container terminals. A boat impound area is on Port property to the north of the Austal USA facility. Adjacent Port-owned areas to the east include a tank farm, a truck stop, and paved vehicle parking areas on the west side of Tidelands Avenue. Non-Port-owned areas to the east of Tidelands Avenue are industrial (National City 2011b). The adjacent land and submerged land areas to the northwest are deeded to the US Government. These areas are developed and used by the Navy for military purposes and contain several Navy piers.

2.4.3 Existing Austal USA Facilities and Operations

Austal USA's facility includes existing office space, shops, warehouse, laydown space, and parking areas. The facility also includes two floating piers located in waters of the San Diego Bay.

The Austal USA facility includes an operations building and an inactive blast and paint facility. The operations building includes 10,815 square feet of administration offices, a tool room, a weld shop, 7,500 square feet of warehouse, 3,382 square feet of office space, and three 21,000-square foot bays of covered production/storage support space (63,000 square feet total). The bays include two 10-ton cranes, one 15-ton overhead bridge crane, and machinery such as compressors, welders, power tools. All activities in the operations building are powered by 33,105 square feet of photovoltaic solar panels on the building roof.

Austal USA facility also includes two existing floating piers, known as the North Pier and South Pier. These piers were designed to support maritime operations and service both governmental and commercial marine vessels. The North Pier measures 15 feet wide and 240 feet long and can service vessels up to 250 feet in length, while the South Pier measures 21 feet wide and 330 feet long and can service vessels up to 500 feet long.

Three BNSF Railway (BNSF) tracks traverse the facility property; however, BNSF does not provide service to Austal USA.

The Austal USA facility currently employs approximately 115 people. On average, 40 employees work on NBSD and at other shipyards or at the Austal USA facility depending on where ship repair and maintenance work is being conducted. One or two employees work on activities at the operations building described previously, and the remaining employees are onsite administrative staff.

2.5 Proposed Project Description

2.5.1 Proposed Floating Dry Dock Description

The FDD was constructed off site and is currently temporarily moored, but not in use, near its proposed operational location north of the North Pier. Upon completion of the mooring dolphins to hold the FDD in place, the FDD would be placed at its final operational location (Figure 2-1). The FDD is 531.5 feet long by 154.20 feet wide (approximately 82,000 square feet) and has an overall depth of 43 feet. The FDD would operate with a DoD standard practice rating (per MIL-STD 1625D) of 9,000 long tons (LT) per foot with a structural capacity of 30 LT per foot, and an estimated buoyant capacity of 19 LT per foot. The 9,000-LT capacity steel FDD would support repair and maintenance of government and commercial vessels that are up to 500 feet long. The FDD would service up to four vessels annually.

The FDD has two diesel-powered emergency generators, a control house, a lavatory, two electrically powered cranes, and fixed lighting. FDD lighting is directed downward toward its deck. The generators are installed in an interior sound-attenuated fashion to provide additional sound attenuation beyond that provided by a standard enclosure. The interior sound-attenuated design related to the generators ensure that external noise is minimized in a controlled environment within the FDD wing-wall.

The FDD also includes two pedestrian bridges and one vehicle bridge. The pedestrian bridges are located on the FDD's port and starboard sides and are approximately 123 feet long. The vehicle bridge would extend between the wharf and the FDD and is approximately 63 feet long. These bridges would provide for pedestrian and heavy equipment ingress/egress required for vessel maintenance and waste disposal activities. The FDD would be operated using its own built-in electric gantry cranes, stormwater pumps, sewer pump, and ballast pump. The FDD would be connected to existing utilities on the Austal USA facility including electrical, domestic water and fire water lines, and sanitary wastewater. Other than proposed diesel-powered emergency equipment to be operated under air permits issued by SDAPCD, no additional pumps, cranes, or compressors would be required to operate the FDD. The FDD also has a static saltwater fire suppression system with no relief valve. Water would be discharged only in the event it is required for fire suppression. The fire suppression system meets Navy and local fire requirements. All these items are built in as permanent components of the FDD. In addition, movable concrete keel blocks would be used on the FDD during vessel dry docking (Figure 2-1).

Figure 2-1. Proposed Project Map

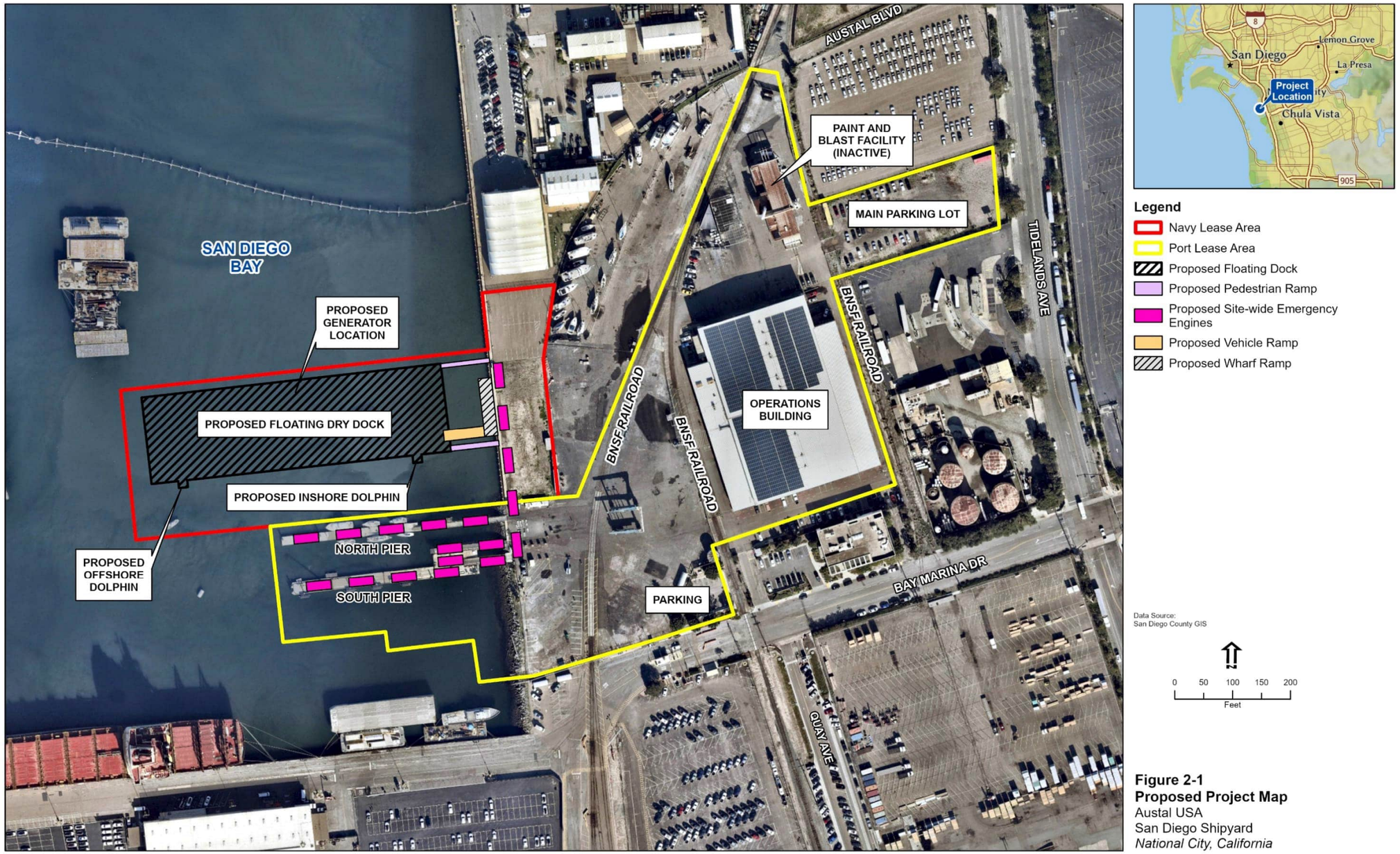

Figure 2-1
Proposed Project Map
Austal USA
San Diego Shipyard
National City, California

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2.5.2 Project Construction Activities

The proposed project includes the following construction activities:

- Wharf construction
- Mooring dolphin piers installation
- Dry dock placement

Construction activities would occur from approximately 6:30 am to 3:30 pm, 6 days per week. During construction, a boom/silt curtain would be installed around the work area to control debris, and minimize the dispersion of sediment, turbidity, and water quality contaminants associated with sediment.

2.5.2.1 Wharf Construction

The concrete wharf would be approximately 86 feet long by approximately 68 feet wide (approximately 5,848 square feet). It would be supported by 33 24-inch octagonal concrete piles, three of which are currently pending installation to support the vehicle bridge.

2.5.2.2 Mooring Dolphin Installation

Two mooring dolphins located forward and aft of the proposed FDD would be installed (Figure 2-1). The mooring dolphins would each be supported by 11 24-inch octagonal concrete piles. A total of 22 concrete piles would be installed to support the mooring dolphins. Prior to installing the concrete piles, 12 steel H piles would be installed to support the templates for the concrete piles and false work required for the mooring dolphins. These steel piles would be removed once the concrete piles have been installed. An additional 10 steel H piles would be installed permanently to the offshore mooring dolphin as part of the fender system. Concrete piles would be installed using an impact pile driver, and steel H piles would be installed using a vibratory hammer. Large reinforced concrete caps measuring approximately 30 by 30 feet would be placed atop each concrete pile.

Wharf construction and mooring dolphin installation activities would occur over a period of approximately 8 weeks and would require up to 20 workers per day.

2.5.2.3 Dry Dock Placement

The FDD would be moved from its current temporary location to its permanent moored location as shown on Figure 2-1. It would take approximately 4 hours to move the FDD using two tugboats with up to 1,000 horsepower. Grippers would be secured to the mooring dolphin's concrete pile caps and would be used to hold the FDD in position.

2.5.3 Project Operational Activities

FDD operations would occur year-round during normal daytime hours, 6 days a week, consistent with surrounding Navy and Port operations. Activities would depend on tides, weather conditions, and ship scheduling requirements. Maintenance and repair activities would include the use of heavy equipment such as electric gantry cranes that are built into the FDD, 60- to 80-foot boom lifts, and various-sized forklifts and trucks. Operational maintenance and repair activities at the FDD would require up to 130 new workers to be onsite during vessel

availabilities (that is, when a vessel is in the FDD) and up to 12 local haul truck trips per year. Vessel availabilities are expected be from 1 to 6 months in duration. On-site employment would return to the current level of approximately 115 employees between vessel availabilities.

The proposed project includes the following operational activities:

- FDD vessel repair and maintenance
- Dry-docking evolutions
- Dry dock maintenance
- Pedestrian and vehicle traffic access/parking
- Utilities
- Saltwater fire suppression
- North Pier and South Pier activities
- Site-wide emergency engines

Operation of the proposed project would result in air emissions from mobile and stationary sources. Mobile sources would include maritime vessel (tugboat) operations, and on-road vehicle trips for haul trucks and employee commutes. Stationary emissions sources at the FDD would include welding, abrasive blasting, adhesive use, maritime coating and solvent use, and diesel emergency generators. Details on project operations air emissions are provided in Section 3.2.4.1, Methods and Approach.

2.5.3.1 Floating Dry Dock Vessel Repair and Maintenance Activities

Vessel repair and maintenance activities at the proposed FDD may include abrasive blasting, hydro blasting, painting, tank cleaning, removing bilge and ballast water, sheet metal work, electrical work, mechanical repair, engine repair, hull repair, shaft repair, propeller and rudder repair, repair/replacement of sea valves and fittings below the waterline, and sewage disposal. Activities such as blasting and coating operations would be conducted within full enclosures that encapsulate areas where these activities would be conducted to capture and contain overspray, dust, and debris, preventing them from spreading into the adjacent water or land areas. The enclosures would be carefully broken down after completion of the operations to prevent any residual from spreading. The spent blast media would be collected and properly recycled or disposed of. The FDD would be operated using its own built-in electric cranes, stormwater pumps, sewer pump, and ballast pump. Other than proposed diesel-powered emergency equipment to be operated under air permits issued by SDAPCD, no additional pumps, cranes, or compressors would be required to operate the FDD. The FDD would be powered from existing land-side electrical power sources. Connections to existing utilities are discussed below. Equipment, vessels, and vehicles that would be used in association with activities at the FDD and the South Pier would be electrical or powered by California-approved fuels.

2.5.3.2 Dry-Docking Evolutions

During a vessel availability, before arrival, the integral ballast tanks are filled with seawater through a gravity-fed system to submerge (that is, sink) the FDD at a rate of 0.012 feet per second. This process is required for both the vessel arrivals and departures after repair and

maintenance activities are complete. During the initial submergence, the ballast tanks would be required to be filled completely and would require approximately 2 hours to fill. Subsequently, each submergence would take around 45 minutes because the ballast tanks do not get completely emptied after the initial submergence. The process starts when sixteen (16) 12-inch floodgate valves, each with their own screen, are opened, allowing up to 7.5 million gallons at a rate of 9,340 gallons per minute to enter the system. The water enters the system through the screens on the external surface of the FDD (screen dimensions: 409 millimeters by 64 millimeters [center slot], 380 millimeters by 64 millimeters [two middle slots], and 280 millimeters by 76 millimeters [two end slots]). The screens are designed to keep larger objects from entering the ballast tanks. Cleaning to maintain the flow rate though the screens would be done manually using a pressure washer. Under gravity, water then continues through the intake pipes and exits through the sixteen (16) 12-inch valves and into the ballast tanks. No electric pumps are involved in submergence of the FDD. To float the dry dock, electric pumps powered by shore side power pump out the ballast tanks to the level required to float the dry dock and provide a dry area to complete vessel repair and maintenance activities. Ballast pumps would be operated in compliance with the applicable National Pollutant Discharge Elimination System (NPDES) *Vessel General Permit for Discharges Incidental to the Normal Operation of Vessels* (VGP) permit requirements.

Vessels would travel between the NBSD and the Austal USA facility under their own power. After vessels arrive at the Austal USA facility, they would be moved into and out of the FDD by tugboats. Up to two Port 1,000-horsepower diesel-powered tugboats would be used to guide vessels into and out of the FDD for each evolution. Each tugboat would operate for approximately 1 hour to move a vessel into or out of the FDD. Each evolution would last approximately 6 hours, depending on the objective(s) of the specific dry-docking event. For most of the time (that is, greater than 99% of the time), the dry dock ballast tanks would be filled with air, and the FDD would remain stationary in the floating position while maintenance and repair work is conducted on a dry-docked vessel.

2.5.3.3 Dry Dock Maintenance

The FDD and the equipment installed on it, including the emergency generators, are new. The FDD has an expected life span of approximately 40 years. Additional routine maintenance activities would be required to maintain the FDD itself. Maintenance activities might include touch-up painting, maintenance of equipment, tank cleaning, sheet metal work, electrical work, mechanical repair, and repair/replacement of valves and fittings. The emergency generators on the FDD would require testing as part of maintenance activities. Testing would not exceed 52 hours per year per generator. Maintenance dredging would be anticipated in the future. However, the timing and extent of maintenance dredging would be determined by future studies and analysis, and at this time, consideration of potential effects would be speculative. If in the future maintenance dredging is determined to be required, separate environmental review and approvals to obtain permits and certifications from applicable regulatory agencies would be conducted. Therefore, this activity is not included as part of this proposed project.

2.5.3.4 Pedestrian and Vehicle Traffic Access/Parking

Parking for the proposed project is located at the Austal USA facility at existing parking lots. No new parking areas would be required. During vessel availabilities, the estimated 130 new workers would likely commute outside of peak-hour traffic periods, which are typically between the hours from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. Working hours would be between 6:00 a.m. and 4:00 p.m. Workers would access the FDD via the two pedestrian bridges that would be extended from the FDD to the landside.

2.5.3.5 Utilities

The FDD would be connected to existing utilities on the Austal USA facility. Utility upgrades and expansion are currently in progress as part of a separate project at the facility. These activities would be complete before the proposed project would occur. San Diego Gas and Electric (SDG&E) provides power to the Austal USA facility from existing electrical services in the facility. The FDD would be connected to the existing electrical service that is adjacent to the FDD location at the bulkhead. Emergency power would be provided by the two diesel-powered emergency generators on the FDD as described in Section 2.5.1.

Water for domestic and fire use would be provided by the Sweetwater Authority (SWA). The FDD would be connected to the adjacent landside water line by overwater hoses located beneath one of the pedestrian bridges from the existing 6-inch water main located at the National City Marine Terminal. FDD operations would require use of potable water for washing vessel hulls and washing the FDD deck. Based on a maximum of four dry-docking evolutions per year, these activities would require less than 5,000 gallons of water annually. Wash water would be contained on the FDD and would be discharged to the sewer system.

Sanitary wastewater treatment would be provided by the City of National City. The FDD would be connected to the adjacent landside sewer line by overwater hoses located beneath one of the pedestrian bridges. Black- and gray-water sewage generated by the FDD restroom and from flushing vessels while in the FDD would be collected and stored on board and would be pumped to the land-side municipal wastewater treatment system. The FDD includes a stormwater retention system to capture stormwater and prevent stormwater runoff. Any non-oily rainwater that collects in the FDD and vessel and deck wash-down water would be collected and discharged to the sewer system under Austal USA's existing Industrial User Permit. Any oily wastewater generated from project operations would be collected and handled as hazardous waste. No water collected on the FDD would run off into or be discharged to the Bay.

The FDD would be connected to the existing compressed air line at the bulkhead adjacent to the FDD location. The FDD would tie into the existing telecommunications lines on the Austal USA facility.

The North and South Piers are already connected to existing utilities on the Austal USA facility. No additional utility work would be required for their operation.

2.5.3.6 North and South Pier Activities

The North Pier is used for Port derelict vessel operations, security vessel mooring, and barge and supply vessel storage. Future operations at the North Pier include these same activities. No

vessel repair and maintenance work currently occurs and is not currently proposed as part of future operations.

The South Pier is currently used for maintenance and repair of governmental and commercial vessels. Proposed pier-side activities would include vessel maintenance and repair, which would include welding, coating, and abrasive blasting. It is anticipated that up to four vessels per year would be worked on at the Austal USA facility, which would include work conducted at either or both the FDD and South Pier locations.

2.5.3.7 Site-Wide Emergency Engines

The Navy requires an emergency engine system to provide a redundant firefighting system when a Navy vessel's fire suppression system is taken down during vessel repair and maintenance. Portable emergency diesel engines would be used to power generators and fire pumps to provide a redundant firefighting system when Navy ships are at the South Pier. The FDD would have its own built-in fire suppression system and would not be connected to site-wide emergency engines.

2.5.4 Project Minimization Measures

As discussed in Section 2.1, the proposed project was included in an EA and FONSI prepared by the Navy (NAVFAC SW 202b), and measures were included to minimize impacts are also required. The proposed project has already received permits from USACE and San Diego RWQCB, and these permits include permit conditions for the proposed project. As discussed in Section 1.3.3, the project has gone through consultation with NMFS. Measures developed in consultation with NMFS have been incorporated into the proposed project requirements. Table 2-1 summarizes these project minimization measures. As discussed in Chapter 3, BMPs and implementation of requirements to comply with environmental regulations (for example, air quality rules, NPDES requirements, and similar) to avoid and minimize project impacts on environmental resources were evaluated as components of the project and are considered project requirements. All these project requirements were considered when evaluating impact significance, as discussed in Chapter 3. Implementation of these requirements minimizes project construction and operational impacts, as applicable. If it is determined that impacts are significant after consideration of the minimization measures, then separate, additional mitigation measures would be required pursuant to CEQA.

Table 2-1. Project Minimization Measures

Measure Number and Name	Measure Description
BIO-1: Measures to protect migratory birds.	To comply with the *Migratory Bird Treaty Act* (MBTA) and ensure the protection of migratory birds during construction activities, Austal USA shall implement the following measures: • Pre-Construction Surveys: Austal USA shall retain a qualified biologist (that is, a Protected Species Observer [PSO]) to monitor on-site construction activities. The PSO must have at least 4 years of university training in marine biology or a related science and/or have at least 3

Table 2-1. Project Minimization Measures

Measure Number and Name	Measure Description
	years of demonstrated field experience monitoring sensitive species in the Southern California marine environment. The PSO shall conduct pre-construction surveys for active nests of migratory birds in the project area and in a 500-foot buffer zone. Surveys shall be conducted no more than 7 days prior to the start of construction activities. • Nest Avoidance: If active nests are found, a no-disturbance buffer zone shall be established around each nest. The size of the buffer zone shall be determined by the PSO based on the species and its sensitivity to disturbance. No construction activities shall occur within the buffer zone until the PSO confirms that the nest is no longer active. • Monitoring: During construction, the PSO shall monitor the project area to ensure that no migratory birds are disturbed. If any nesting activity is observed, the PSO shall have the authority to halt or modify construction activities to avoid impacts on the birds. • Minimizing Disturbance: Construction activities shall be scheduled to avoid the peak nesting season of marine-dependent migratory birds (April 1 to September 15), where feasible. Additionally, measures such as reducing noise levels and minimizing habitat disturbance shall be implemented to further protect migratory birds. • Compliance Monitoring: Compliance with the MBTA will be monitored through regular inspections and reporting by the PSO. The PSO will document all findings, including the presence of active nests, the establishment of buffer zones, and any modifications to construction activities. These reports will be submitted to Austal USA and relevant regulatory agencies to ensure adherence to the MBTA and to demonstrate the effectiveness of the minimization measures.
BIO-2: Implement noise-reducing measures during pile installation activities.	Prior to and during construction activities involving in-water impact hammer pile installation or vibratory pile installation or removal, Austal USA shall implement the Zero Take Strategy (ZTS) standard operating procedures as described in Appendix C. These procedures include the following key components: • Surveys: Conduct pre-construction surveys for at least 30 minutes before pile driving begins to monitor the presence of marine mammals and other sensitive species. Post-construction surveys will also be conducted for 30 minutes after pile-driving activities cease to ensure no animals are present in the area. • Shutdown Zones: Establish and monitor shutdown zones around the pile-driving area. If a marine mammal or other sensitive species enters the shutdown zone, pile-driving activities must be halted immediately.

Table 2-1. Project Minimization Measures

Measure Number and Name	Measure Description
	Pile driving can only resume once the animal has left the zone and is observed moving away from the area. • Soft Start Procedures: Implement "soft start" procedures for impact pile driving, which include three sets of three blows at a lower energy setting, with each set separated by at least 30 seconds. This gradual increase in noise allows marine mammals and other sensitive species to move away from the area before full pile-driving intensity begins. • Cushion Blocks: Cushion blocks will be used during pile driving to reduce the stress and potential damage to the piles. These blocks, placed between the hammer and the pile, will help absorb and distribute the impact energy more evenly, thereby reducing noise levels and protecting sensitive marine species. • Deployment of Bubble Curtains: Bubble curtains will be employed around the pile-driving area to attenuate underwater noise. The bubble curtain system will create a barrier of bubbles that scatters and absorbs sound waves, reducing the intensity of noise transmitted through the water. This measure is effective in protecting marine mammals, fish, and other aquatic organisms from harmful sound levels. • Daylight Hours: Restrict pile-driving activities to daylight hours, approximately 30 minutes after sunrise and 30 minutes before sunset, to ensure adequate visibility for monitoring. • Monitoring: Qualified PSOs will monitor the visible area during all pile-driving activities, keeping detailed logs of any sightings and behaviors of marine mammals and other sensitive species. PSOs will have the authority to halt or modify construction activities if necessary to protect these species. PSO(s) will use the existing acoustical analysis and corresponding monitoring zones that were generated during the incidental harassment authorization (IHA) renewal process (NAVFAC SW and Austal USA 2022).
BIO-3: Contractor education for vessel operations.	In accordance with applicable federal, state, and local regulations, including CWA Sections 401, the *Rivers and Harbors Act* Section 10, and applicable permit conditions per Austal USA's existing Industrial User Permit, Austal USA shall implement contractor education for vessel operations. Vessel operators shall be trained that any contact with the bottom from the vessels, barges, anchors, or spuds can suspend sediment that results in water quality and turbidity impacts that limit the ability of fish-foraging avian species to locate prey and disrupt eelgrass productivity. Additionally, vessel operators shall be instructed to minimize activities that direct propeller wash toward shallow areas with substrates that can be suspended and result in increased turbidity.

Table 2-1. Project Minimization Measures

Measure Number and Name	Measure Description
BIO-4: Deploy a silt curtain around pile-driving or other sediment-disturbing activity areas.	In accordance with applicable federal, state, and local regulations, including CWA Sections 401, the *Rivers and Harbors Act* Section 10, and applicable permit conditions per Austal USA's existing Industrial User Permit, Austal USA shall deploy a silt curtain around the pile-driving or other sediment-disturbing activity areas to restrict the visible surface turbidity plume to the area of construction. The silt curtain shall consist of a hanging ballast-weighted curtain with a surface float line and shall extend from the surface into the water column without disturbing the bottom based on the lowest tidal elevation and swing of the curtain within the water column.
BIO-5: Develop an overwater construction staging plan.	In accordance with applicable federal, state, and local regulations, including CWA Sections 401, the *Rivers and Harbors Act* Section 10, and applicable permit conditions per Austal USA's existing Industrial User Permit, Austal USA shall develop an overwater construction staging plan to identify locations planned for construction staging and avoid being placed in locations that would shade eelgrass over a prolonged period. A PSO shall be retained to help avoid placement over eelgrass and shall be responsible for determining the length of time placement can occur, based on location-specific conditions and the time of the year, without resulting in a significant adverse impact on eelgrass habitat. The PSO shall have at least 4 years of university training in marine biology or a related science and/or have demonstrated field experience in the Southern California marine environment. The PSO shall submit quarterly written verification of compliance to Austal USA.
BIO-6: Conduct post-construction eelgrass survey.	Conduct post-construction eelgrass survey in accordance with Austal USA's CWA Section 404 permit and *Rivers and Harbors Act* Section 10 permit from USACE, and CWA Section 401 Water Quality Certification from the San Diego RWQCB. Austal USA shall conduct a post-construction survey to determine the extent of impact on eelgrass to identify a final deduction from the Eelgrass Mitigation Bank. Should survey results identify that mitigation bank credits in addition to the 1.084 acres already reserved are required, additional credits shall be deducted from the bank and all Eelgrass Mitigation Bank agencies will be notified of the final amount.
BIO-7: Conduct pre-construction caulerpa survey.	In compliance with requirements of Austal USA's U.S. Army Corps of Engineers River and Harbors Act Section 10 and Marine Protection, Research and Sanctuaries Act Section 103 permit, and the San Diego Regional Water Quality Control Board Clean Water Act Section 401 Water Quality Certification, Aa pre-construction caulerpa survey will be conducted before any new in water construction activity in compliance with the Caulerpa Control Protocol. A caulerpa survey must be conducted not earlier than 90 calendar days before planned work and not later than 30 calendar days before construction.

Table 2-1. Project Minimization Measures

Measure Number and Name	Measure Description
WQ-1: Construction general permit compliance.	The proposed project will comply with the provisions of the NPDES Permit and WDR under California Department of Transportation (Caltrans) Order 2022-0057-DWQ, and any subsequent permit reissuance in effect at the time of construction.
WQ-2: Municipal stormwater permit compliance.	The proposed project will comply with the provisions of the NPDES Municipal Stormwater Permit (Order R9-2013-0001 as amended by Orders R9-2015-0001 and R9-2015-0100), and any subsequent permit reissuance in effect at the time of construction.
WQ-3: Implement a Storm Water Pollution Prevention Plan or Construction Best Management Practices Plan during construction.	The proposed project will comply with existing NPDES permits, including the Municipal Stormwater Permit and the Construction General Permit (CGP), which are discussed in Section 3.8.2. These permits will require project construction—including small construction sites of less than 1 acre—to develop, implement, and maintain of a Stormwater Pollution Prevention Plan (SWPPP) or a Construction Best Management Practices Plan (for small site disturbances), which will address all construction-related activities, equipment, and materials that have the potential impact water quality for the appropriate risk level. The SWPPP or Construction Best Management Practices Plan will identify the sources of pollutants that may affect the quality of stormwater and will include BMPs to control pollutants, such as sediment control, catch basin inlet protection, construction materials management and non-stormwater BMPs. All work must conform to Construction Best Management Practices Plan requirements as specified in the latest edition of the stormwater quality handbook *Construction Site Best Management Practices (BMP) Manual* (Caltrans 2024a) and Port stormwater management requirements to control and minimize the impacts of construction and construction-related activities, material, and pollutants on the watershed. These include temporary sediment control, temporary soil stabilization, scheduling, waste management, materials handling, and other non-stormwater BMPs.
WQ-4: Avoidance and minimization measures.	An EA was approved by the Navy in 2020, which identified the following BMPs that will be performed as required elements of the proposed project. • Vessel Grounding Protection: Vessel draft and movements will be controlled by the contractor to limit the potential for grounding. This will reduce or avoid potential water quality impacts associated with sediment disturbance or material spill due to vessel grounding incidents. • Clean Materials: Only clean construction materials suitable for use in the oceanic environment will be used. This will reduce or avoid potential water quality impacts associated with construction materials.

Table 2-1. Project Minimization Measures

Measure Number and Name	Measure Description
	The EA also identified specific avoidance and minimization measures that would be incorporated as part of the project during all dredging and sediment disposal, and all required demolition and construction activities to limit the potential impacts on water quality: • Clean Materials: The contractor will use only clean construction materials suitable for use in the oceanic environment. The contractor will ensure that no debris, soil, silt, sand, sawdust, rubbish, cement or concrete washings thereof, chemicals, or oil or petroleum products from construction are allowed to enter into or be placed where they may be washed by rainfall or runoff into waters of the US. Upon completion of the project authorized, any and all excess material or debris will be completely removed from the work area and disposed of in an appropriate upland site. • Uncured Concrete: Uncured concrete will be poured into water-tight forms and not be allowed to overtop forms. Subject to the terms and conditions identified in all applicable project-specific permits, the Navy will deploy precautionary measures to alleviate turbidity associated with demolition and construction activities.
WQ-5: CWA Section 401 Water Quality Certification conditions.	In March 2023, the San Diego RWQCB issued a CWA Section 401 Water Quality Certification (Order R9-2023-0030), which evaluated the EA prepared by the Navy in 2020 and analyzed the extent and nature of proposed impacts on water quality and beneficial uses of San Diego Bay. The San Diego RWQCB approved and issued the Water Quality Certification, indicating Austal USA (the Discharger) is authorized to proceed with the proposed project in accordance with the following conditions: • Conformance with Water Quality Control Plans and Policies: The Discharger must take all necessary measures to protect the beneficial uses of the receiving waters in accordance with water quality standards in the *Water Quality Control Plan for the San Diego Basin* (Basin Plan) (San Diego RWQCB 2021). Specific receiving water limitations were prescribed for the following water quality parameters: visual quality, color, hydrogen ion concentration (pH), turbidity, dissolved oxygen, and water quality objectives. • Compensatory Mitigations: Various compensatory mitigations, including the long-term management of the site. • Monitoring and Reporting: Monitoring and reporting requirements, with response actions to monitoring results and annual progress reports. • Construction BMPs: Implementation of Construction BMPs listed in Attachment 3 of the CWA Section 401 Water Quality Certification,

Table 2-1. Project Minimization Measures

Measure Number and Name	Measure Description
	which include compliance with the CGP, development of an SWPPP, deployment of silt curtains for dredging activities, and post-construction BMPs.
WQ-6: US Army Corps of Engineers permit conditions.	In June 2023, USACE issued a permit that authorizes Austal USA to perform work in accordance with the terms and conditions specified by the permit. Authorized work includes dredging, removal of materials including sunken debris, and additional structural work required. The USACE permit requires various general conditions, including General Condition 5 that acknowledges a conditioned Water Quality Certification has been issued for the proposed project. The USACE permit also requires special conditions as follows: • Special Condition 24, *Piles* prohibits creosote piles from being used unless various conditions are met to protect and prevent discharge of contaminants. • Special Condition 26, *Clean Construction Practices* requires Austal USA to discharge only clean construction materials suitable for use in the oceanic environment and that, upon completion of the project, all excess material and debris shall be completely removed and disposed of in an appropriate upland site. • Special Condition 32 requires Austal USA to comply with the terms and conditions of the CWA Section 401 Water Quality Certification (Order R9-2023-0030) dated March 23, 2023. This Water Quality Certification is hereby incorporated by reference, and compliance includes Water Quality Certification Section II, *Conditions* and Section III, *Water Quality Certification*.
WQ-7: Boatyard general permit compliance.	The proposed project will comply with the provisions of the San Diego RWQCB's *General Waste Discharge Requirements for Discharges from Boatyards and Boat Maintenance and Repair Facilities Adjacent to Surface Waters Within the San Diego Region* (Order R9-2019-0008) and any subsequent permit reissuance in effect at the time of construction. This permit regulates discharges of industrial wastewater (for example, ballast water) and industrial storm water runoff from the proposed project. The permit also includes discharge prohibitions, water quality effluent and receiving water limitations, and provisions for protecting water quality, including the following: • Monitoring and Reporting: Monitoring and reporting program requirements. • BMPs and Pollution Prevention: This permit requires Austal USA to eliminate discharge of first-flush (0.25 inch) industrial stormwater. • SWPPP: Austal USA will be required to develop, implement, and maintain an SWPPP covering all industrial activities. The SWPPP will

Table 2-1. Project Minimization Measures

Measure Number and Name	Measure Description
	incorporate by reference a Spill Prevention Control and Countermeasure (SPCC) Plan, including handling procedures, storage requirements, and cleanup equipment and procedures.
WQ-8: Vessel general permit compliance.	The proposed project will comply with the provisions of the NPDES VGP, and any subsequent permit reissuance in effect at the time of construction. The VGP regulates incidental discharges from project activities, including deck wash-down from hull cleaning, ballast water, anti-fouling leachate from anti-fouling coatings, and repair of mechanical equipment subject to immersion. VGP compliance also includes setting effluent limits, taking corrective actions, inspection monitoring and reporting requirements, special permit conditions for California, and requirements to implement best available technology and BMPs that require vessels to minimize pollutant discharges. The VGP also requires Austal USA to develop a Ballast Water Management Plan for the FDD, which will outline how Austal USA will meet VGP Part 2.2.3.3 requirements.

2.6 Inconsistencies Between the Proposed Project and Applicable General Plans, Specific Plans, and Regional Plans

Pursuant to CEQA Guidelines Section 15125(d), "an EIR must discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans. Such regional plans include, but are not limited to, the applicable air quality attainment or maintenance plan or State Implementation Plan, area-wide waste treatment and water quality control plans, regional transportation plans, regional housing allocation plans, regional blueprint plans, plans for the reduction of GHG emissions, habitat conservation plans, natural community conservation plans and regional land use plans for the protection of the Coastal Zone, Lake Tahoe Basin, San Francisco Bay, and Santa Monica Mountains."

Local jurisdictions with land use authority include the Port and National City. The proposed project site is located in the City of National City on areas leased from and under the jurisdiction of the Navy and the Port. The *National City General Plan* (National City 2011b) defers to the Navy and the Port for areas owned by these agencies. The portion of the proposed project that would occur on Port-owned property is subject to the PMP. The FDD would be placed in an area identified in the PMP as Navy Ship Berthing. The project is consistent with the Navy Ship Berthing designation applied by the PMP. Project operations on land would be consistent with the PMP's designation for Marine-Related Industrial use. Therefore, the proposed project would be consistent the PMP.

The Navy submitted a Coastal Consistency Negative Determination (ND-0031-19) to the California Coastal Commission on December 5, 2019. On December 31, 2019, the California

Coastal Commission concurred. As part of the USACE dredging permit, this determination was reconfirmed by the California Coastal Commission on September 30, 2022 via memo stating the project is consistent with ND-0031-19 (Appendix D). The proposed project would be consistent with the *Coastal Zone Management Act* (CZMA). As discussed in Section 1.4.1 and per CEQA Guidelines Section 15143, effects were dismissed in the *Initial Study* (Appendix A) and are not discussed further in this EIR.

As detailed in Chapter 3, and Chapter 4, *Cumulative Impacts*, the proposed project, with the previously discussed minimization measures, would be consistent with applicable plans, including:

- The Port's PMP and *Climate Action Plan* (Port 2013), and the joint SDAPCD-US Navy *Integrated Natural Resources Management Plan* (INRMP) (Navy, NAVFAC SW, and Port 2013)
- San Diego RWQCB's Basin Plan
- San Diego Association of Governments' (SANDAG's) *2021 Final Regional Plan* (Regional Plan) (SANDAG 2021)
- Portside CERP
- California's *State Implementation Plan* (SIP) (California Air Resources Board [CARB] 2022) or SDAPCD *Regional Air Quality Strategy* (RAQS) (SDAPCD 2022)

Refer to Chapter 3 and Chapter 4 for detailed discussion.

Chapter 3 Environmental Analysis

In accordance with CEQA Guidelines Sections 15126.2 and 15143, Sections 3.1 through 3.14 of this chapter contain a discussion of the potential significant environmental effects that may result from the proposed project.

This chapter contains sections for each of the environmental resource areas analyzed:

- Section 3.1, *Aesthetics*
- Section 3.2, *Air Quality*
- Section 3.3, *Biological Resources*
- Section 3.4, *Energy Use*
- Section 3.5, *Geology/Soils*
- Section 3.6, *Greenhouse Gas Emissions*
- Section 3.7, *Hazards and Hazardous Materials*
- Section 3.8, *Hydrology/Water Quality*
- Section 3.9, *Noise*
- Section 3.10, *Population and Housing*
- Section 3.11, *Public Services*
- Section 3.12, *Transportation/Traffic*
- Section 3.13, *Tribal Cultural Resources*
- Section 3.14, *Utilities/Service Systems*

In each Section of Chapter 3, environmental resource areas are analyzed. Each resource area contains the following general subsection headings:

- Environmental Setting
- Regulatory Setting
- Thresholds of Significance
- Impact Analysis

The Environmental Setting section provides relevant information about the existing physical environmental conditions in the vicinity of the proposed project. Consistent with CEQA Guidelines Section 15125, the baseline for the environmental setting used in this EIR is the physical conditions at the time the NOP was published in September 2024.

The Regulatory Setting section discusses federal, state, and local laws, ordinances, and regulations pertaining to the proposed project for a given environmental resource.

The Thresholds of Significance section presents the thresholds for determining whether environmental effects of the proposed project are significant environmental impacts.

The Impact Analysis section presents the potential effects on the environment of the construction and operation of the proposed project. The impact analysis is presented for each significance threshold and quantifies the impact as no impact, less-than-significant impact, or significant impact with a discussion of the level of significance and as-applicable mitigation measures to reduce or eliminate significant impacts, along with the level of significance after incorporation of mitigation.

3.1 Aesthetics

3.1.1 Environmental Setting

The Austal USA facility is within National City limits. The proposed project site occupies waters of San Diego Bay and adjacent land areas that are leased from the Navy and the Port (refer to Figure 1-2). Onshore areas to the north, east, and south of the proposed project site are heavily urbanized and developed for Navy- and Port-related shipping and industrial uses such as transit, berthing, and repair of vessels among other general marine, industrial, and military uses. The natural elements of the San Diego Bay's open waters west of the proposed project site are visually interrupted by industrial shipping operations, military operations, piers, docks, and harbor infrastructure.

Silver Strand, a narrow sand-spit between Coronado Island and Imperial Beach, is generally visible approximately 1.8 miles across San Diego Bay, west of the proposed project site. Silver Strand features military development, residential areas, marinas, a school, and undeveloped areas including Silver Strand State Beach.

Overall, the visual setting around the proposed project site can be generally characterized by industrial land and marine uses along with the open waters of San Diego Bay.

3.1.1.1 Viewers

Austal USA onshore areas of the proposed project site and adjacent Port and Navy lands are within a secured perimeter and are not accessible to the general public. Onshore viewers of the proposed project area would primarily be limited to workers at the Austal USA facility and adjacent Port and Navy facilities. Outside of these areas, onshore views of the project area would be largely screened by buildings and fences, and viewer sensitivity from onshore areas would be low.

The San Diego Bay is open to public use for recreational boating outside of the water security perimeter of military areas. Users of the San Diego Bay open water areas near the proposed project site would have views of the proposed project. These viewers may have prolonged views of the proposed project area if they are moving slowly or idling in the water. However, most views from the open water of the proposed project site would be similar to the views of adjacent marine industrial and Navy uses within San Digo Bay and viewer sensitivity would be low.

3.1.2 Regulatory Setting

This subsection identifies the regulatory framework that governs visual or scenic resources at the proposed project site.

3.1.2.1 Federal

There are no federally designated features near the proposed project subject to federal regulations related to visual or scenic resources including federally designated Wild and Scenic Rivers, National Scenic Byways and All-American Roads, National Scenic Trails, and Wilderness

Areas. Because federally protected scenic areas are not present near the proposed project site, no further consideration of federal regulations on visual or scenic resources is required.

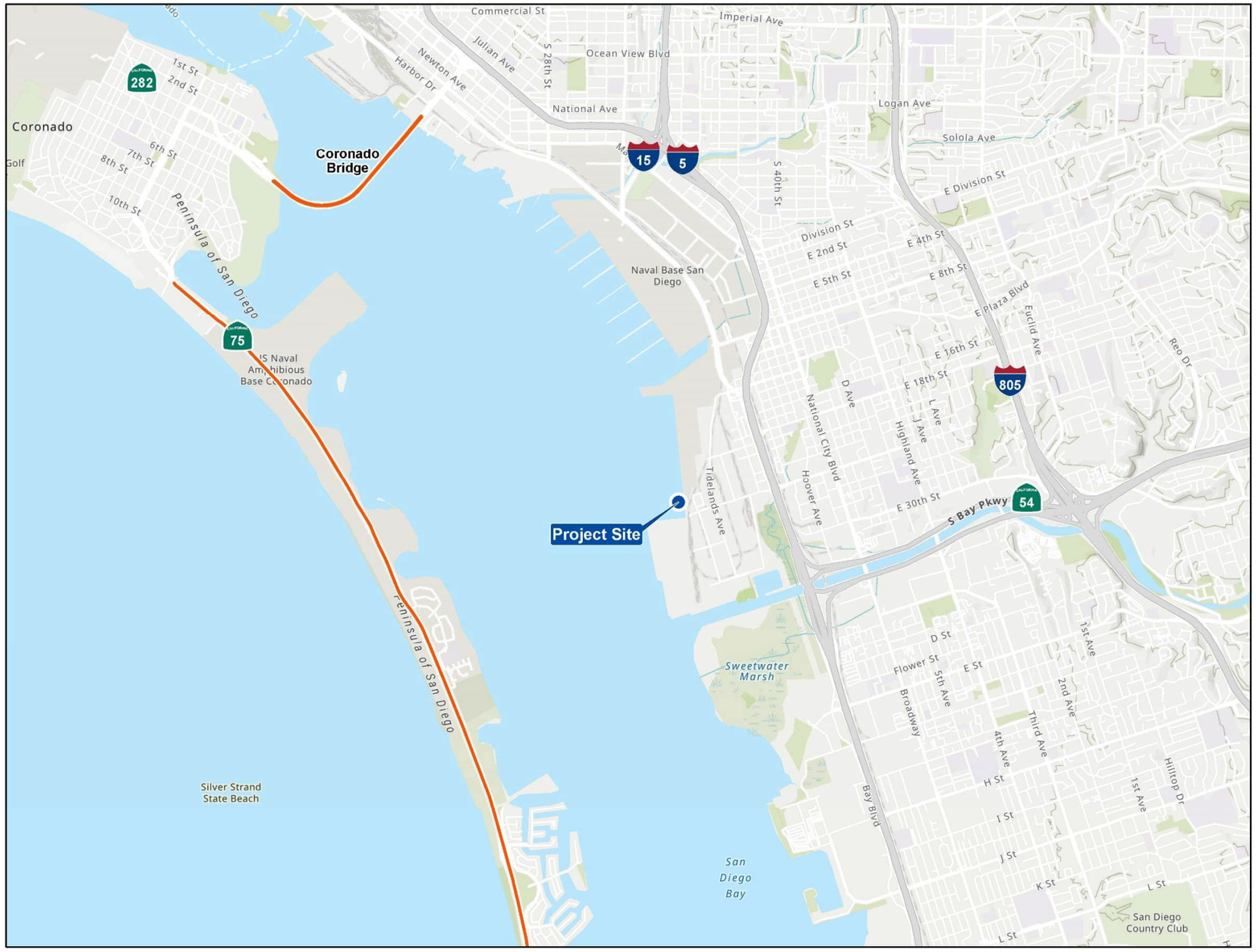
3.1.2.2 State

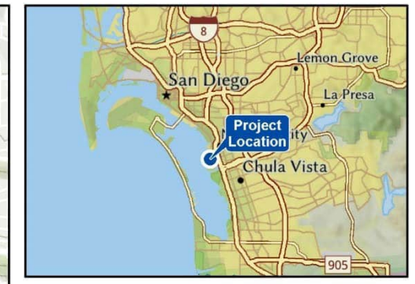
California State Scenic Highway Program

California State Scenic Highways are highways that are officially designated by the California Department of Transportation (Caltrans) as scenic. California's Scenic Highway Program was created by the State Legislature in 1963. Its purpose is to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to highways. The State Scenic Highway System includes highways that are either eligible for designation as scenic highways or that have been designated as such.

Officially designated State Scenic Highways nearest to the proposed project site are California State Route (SR-)75 located along Coronado Island, approximately 1.8 miles west of the proposed project site, and the Coronado Bridge on SR-75 located approximately 2.8 miles northwest of the proposed project (Caltrans 2024b) (Figure 3.1-1).

Figure 3.1-1. State Scenic Highways Near the Proposed Project





Legend

- Project Site
- California State Scenic Highway

Data Sources:
San Diego County
Caltrans

0 2000 4000
Feet

Figure 3.1-1
Officially Designated State Scenic Highways
Austal USA
San Diego Shipyard
National City, California

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3.1.2.3 Local

Port of San Diego Port Master Plan

The Port's PMP was originally certified by the California Coastal Commission in 1981. Since then, there have been more than 40 location-specific amendments. The PMP's Public Recreation portion in Section III explains that it is the intent of the PMP to guide development at vista areas to preserve and enhance them. PMP goals and policies related to aesthetics are as follows:

- Goal II. The Port District, as trustee for the people of the State of California, will administer the tidelands so as to provide the greatest economic, social, and aesthetic benefits to present and future generations.
- Goal VIII. The Port District will enhance and maintain the Bay and tidelands as an attractive physical and biological entity.
  - Each activity, development, and construction should be designed to best facilitate its particular function, which function should be integrated with and related to the site and surroundings of that activity.
  - Views should be enhanced through view corridors, the preservation of panoramas, accentuation of vistas, and shielding of the incongruous and inconsistent.
  - Establish guidelines and standards facilitating the retention and development of an aesthetically pleasing tideland environment free of noxious odors, excessive noise, and hazards to the health and welfare of the people of California.

In addition, the PMP identifies vista areas, or key public viewpoints "of natural visual beauty, photo vantage points, and other panoramas" from which to enjoy the scenic beauty of San Diego Bay and other visible Port features.

National City General Plan

The *National City General Plan* (National City 2011b) was developed to serve as a citywide "blueprint" document that guides future growth and investments.

General Plan Policy LU-12.1 encourages building placement, orientation, height, and mass to maintain and enhance views of San Diego Bay, open space, creeks, and other distinctive scenic resources.

National City Zoning

National City designates areas of land for specific land uses. Specific zones define the distribution of residential, commercial, industrial, open space, and other zones based on the pattern of land uses established by its General Plan.

National City zoning for the proposed project site is Military for the portion that is leased from the Navy and defers to the PMP for the portion of the facility that is leased from the Port. The PMP's *Precise Plan for Planning District 5, National City Bayfront*, designates the proposed project site as Specialized Berthing and Navy Ship Berthing. No scenic or visual protections are identified within the Specialized Berthing or Navy Ship Berthing designations (National City

2011b and Port 2024a). The PMP designates the proposed project area for industrial and military uses. There are no relevant policies for this area related to scenic resources. The proposed project is located in the San Diego Bay, which is considered a scenic resource; however, no designated scenic vistas are identified in the *National City General Plan* (National City 2011b).

3.1.3 Thresholds of Significance

The proposed project would result in a significant impact on aesthetics if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?
2. In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
3. Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Based on the *Initial Study* prepared for the proposed project (Appendix A), it was determined that no scenic vistas are identified within the project area by applicable plans and policies. Additionally, the proposed project would not be visible from the Port-designated Vista Area at Pepper Park, located approximately 0.75-mile to the southeast. Therefore, no further analysis of whether the proposed project would have a substantial adverse effect on scenic vistas is warranted in this EIR.

3.1.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Threshold 1: Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

Impact Discussion

Construction/Operations

The proposed project site and surrounding areas are associated with Port-related shipping and industrial uses for transit, berthing, and repair of vessels among other general marine, industrial, and military uses. Officially designated State Scenic Highways nearest to the proposed project site are SR-75 located along Coronado Island approximately 1.8 miles west of the proposed project site, and the Coronado Bridge on SR-75 located approximately 2.8 miles northwest of the proposed project (Caltrans 2024b).

The proposed project would be minimally visible to motorists and pedestrians looking eastward from State Scenic Highway SR-75 at the Silver Strand portion of Coronado Island. Views of the proposed project would typically be fleeting due to the traveling nature of SR-75 users. Coronado Island is at a near sea-level elevation and distance, existing structures, vegetation, and maritime operations would deteriorate visibility of the proposed project. Further, visible portions of proposed project, as viewed from the Silver Strand portion of SR-75, would be nearly entirely visually absorbed by the surrounding industrial elements.

The State Scenic Highway-designated Coronado Bridge reaches approximately 200 feet in elevation, which could allow for partial visibility of the proposed project site for motorists looking southeast. However, distance, existing structures, and large ships docked along the northern perimeter of San Diego Bay would deteriorate visibility of the proposed project. Views of the proposed project from the bridge would be fleeting to motorists driving on the bridge. Further, visible portions of proposed project, as viewed from the Coronado Bridge portion of SR-75, would be nearly entirely visually absorbed by the surrounding industrial elements.

Although the waters of San Diego Bay may be considered a scenic resource, there are no scenic trees or rock outcroppings in the vicinity of the proposed project site. There are no designated historic properties located within the APE identified for the proposed project as further discussed in the *Initial Study* (Appendix A, Section V).

Because partial visibility of the proposed project would be minimized given its compatibility and indistinguishable characteristics among adjacent Port and Navy operations, intervening elements such as structures and ships, and the visual absorption of the proposed project by the surrounding industrial setting of the proposed project site, construction and operation of the proposed project would not result in substantial visual impacts as viewed from officially designated State Scenic Highway segments of SR-75.

Therefore, construction and operation of the proposed project would not have a substantial adverse effect on scenic resources, including trees, rock outcroppings, historic buildings or state-designated scenic highways. Impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 2: In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Impact Discussion

Construction/Operations

The proposed project would be located in an urbanized area of National City that is zoned for Port and military uses. Construction and operation of the proposed project would be consistent with applicable zoning and other regulations governing scenic quality, as shown in Table 3.1-1.

Table 3.1-1. Consistency With Applicable Zoning and Other Regulations Governing Scenic Quality

Regulation	Consistency
National City Zoning (defers to the PMP) designation of Specialized Berthing and Navy Ship Berthing	No scenic or visual protections are identified within the Specialized Berthing or Navy Ship Berthing designations (National City 2011b; Port 2024a). The PMP designates the proposed project area for industrial and military uses. There are no relevant policies for this area related to scenic resources. The proposed project would not conflict with National City zoning regulations.
National City General Plan Policy LU-12.1: Encourages building placement, orientation, height, and mass to maintain and enhance views of San Diego Bay, open space, creeks, and other distinctive scenic resources.	The proposed project would be similar in placement, orientation, height, and mass to existing industrial marine facilities in the immediate vicinity, including piers, terminals, and docks. The proposed project would not conflict with *National City General Plan* Policy LU-12.1 (National City 2011b).
PMP Goal II: The Port District, as trustee for the people of the State of California, will administer the tidelands so as to provide the greatest economic, social, and aesthetic benefits to present and future generations.	The proposed project would result in economic benefits to the area by continuing to provide industrial operations. The proposed project would have no impact on social behaviors. The proposed project would result in negligible changes to aesthetic resources, as described in this analysis. The proposed project would not significantly conflict with PMP Goal II.

Table 3.1-1. Consistency With Applicable Zoning and Other Regulations Governing Scenic Quality

Regulation	Consistency
PMP Goal VIII: The Port District will enhance and maintain the Bay and tidelands as an attractive physical and biological entity. • Each activity, development, and construction should be designed to best facilitate its particular function, which function should be integrated with and related to the site and surroundings of that activity. • Views should be enhanced through view corridors, the preservation of panoramas, accentuation of vistas, and shielding of the incongruous and inconsistent. • Establish guidelines and standards facilitating the retention and development of an aesthetically pleasing tideland environment free of noxious odors, excessive noise, and hazards to the health and welfare of the people of California.	The proposed project location and equipment are designed for optimal function. The existing site and surroundings are industrial based for similar uses and function. The proposed project site has restricted public access and would not result in an obstruction to public view corridors. The project would have no impact on scenic vistas (refer to Section 3.1.5). The proposed project would not obstruct the establishment of guidelines and standards facilitating the retention and development of an aesthetically pleasing tideland environment free of noxious odors, excessive noise, and hazards to the health and welfare of the people of California. The proposed project would not conflict with PMP Goal VIII.
State Scenic Highway Program	Officially designated State Scenic Highways nearest to the proposed project site are SR-75 located along Coronado Island approximately 1.8 miles west of the project site, and the Coronado Bridge on SR-75 located approximately 2.8 miles northwest of the proposed project (Caltrans 2024b). The proposed project would not conflict with the State Scenic Highway Program.

Note: As previously discussed, due to the lack of federally protected scenic areas near the proposed project site, federal regulations on visual or scenic resources do not apply.

The proposed project would be consistent with applicable plans and policies specific to aesthetic resources. Therefore, the proposed project would not conflict with applicable zoning and other regulations governing scenic quality, and there would be no impact.

Level of Significance

No impact.

Mitigation Measures

No mitigation is required.

Threshold 3: Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Impact Discussion

Construction

Construction of the proposed project would be located within an area developed for Port-related shipping and industrial uses. Construction activities for the proposed project would last approximately 8 weeks and would involve activities to support wharf construction, FDD placement, and pile-driving activities for mooring dolphins. Construction activities would require the use of specialized overwater construction equipment such as floating cranes, barges, tug boats, and hydraulic vibrators and/or diesel-powered impact hammers. These types of activities and associated equipment could generate light and glare that would be consistent with typical ongoing activities in the immediate vicinity of the proposed project and would be consistent with the larger contextual setting of both NBSD and the Port. Equipment and construction materials would be removed at the completion of the approximately 8-week construction period. Therefore, construction of the proposed project would not introduce a new substantial amount of light and glare affecting day or nighttime views of the area. Impacts on light and glare resulting from proposed project construction would be less than significant.

Operations

Operation of the proposed project would be located within an area developed for Port-related shipping and industrial uses. This industrial area is located near existing paved parking lots and buildings that currently generate light and glare with the associated overhead lighting fixtures. The proposed project would introduce fixed lighting on the FDD for safety and security. The new light sources would be directed downward toward the dock surface. Operational lighting introduced by the proposed project would be minimal and consistent with existing lighting on nearby piers and at industrial facilities.

The proposed project's surfaces and equipment would have a weatherproof finish to combat the harsh marine environment. The weatherproof finish would be non-reflective and would not reflect glare greater than the surrounding water surface.

Therefore, operational activities associated with the proposed project would not introduce a new substantial amount of light and glare affecting day or nighttime views of the area. Impacts on light and glare resulting from proposed project operations would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

3.2 Air Quality

3.2.1 Environmental Setting

Air quality is defined and regulated based on the concentrations of various pollutants measured in the air we breathe. Common sources of air pollutants include fuel combustion in mobile sources such as motor vehicles and ships, industrial processes and equipment operations at stationary sources such as factories or power plants, and natural sources such as forest fires.

The project site is in National City, in a highly industrialized maritime port area in the San Diego Air Basin (SDAB). The SDAB encompasses all of San Diego County and is under the regulatory jurisdiction of SDAPCD. The site is in the Portside Environmental Justice Community (Portside Community), identified by SDAPCD and the CARB Community Air Protection Program as a community that experiences disproportionate burdens from exposure to air pollutants. In 2018, SDAPCD and CARB selected the Portside Community for an air pollution monitoring program, and in 2019, SDAPCD and CARB selected the Portside Community for an emissions reduction program (SDAPCD 2021; Port 2022).

In addition to locations of air pollution sources and types and amounts of pollutants emitted, primary factors that influence the air quality of a region are local climate, meteorological conditions, and topography. Study areas for air quality are large to account for how pollutants disperse in air and are influenced by wind and atmospheric conditions.

3.2.1.1 Climate, Meteorology, and Topography

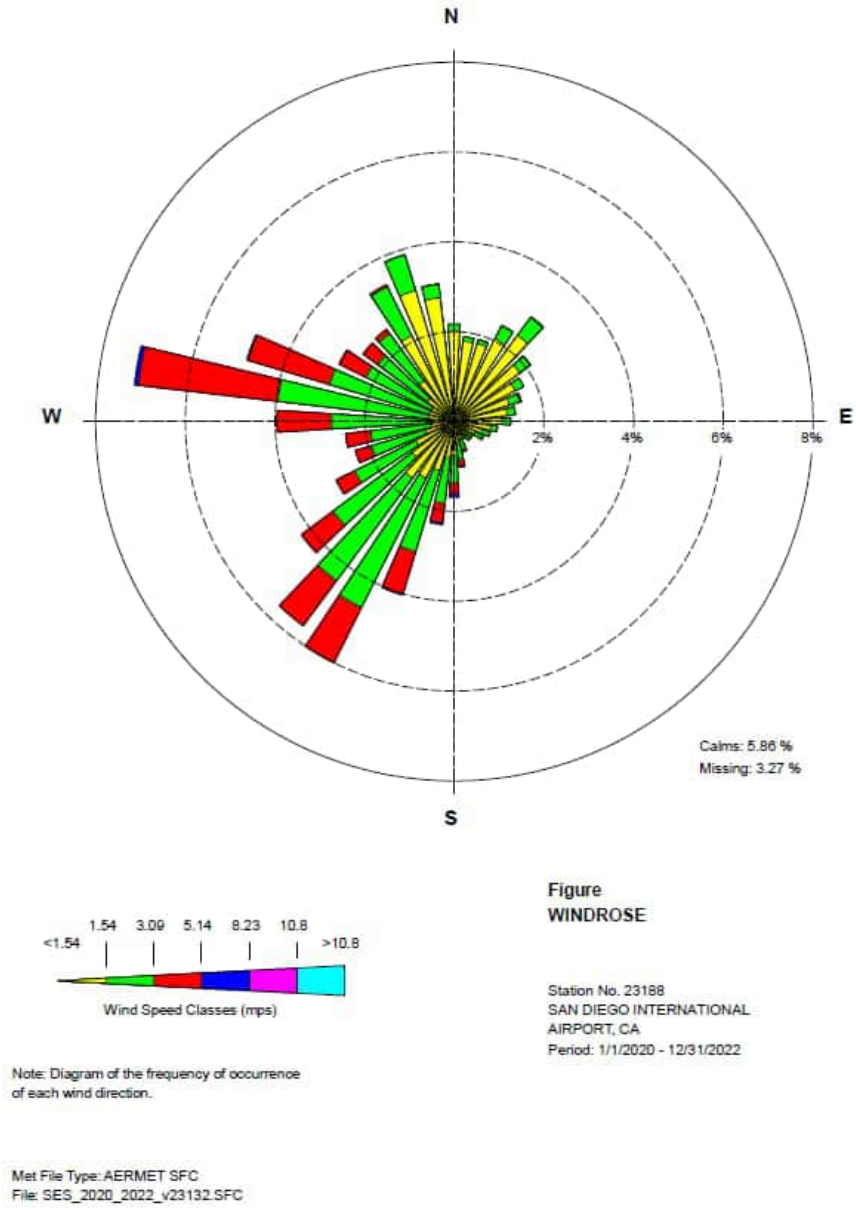
The climatic classification for San Diego is a Mediterranean climate, with warm, dry summers and mild, wet winters. Average annual precipitation ranges from approximately 10 inches on the coast to over 30 inches in the mountains to the east. Climatic conditions in San Diego County are governed by the large-scale sinking and warming of air in the semi-permanent tropical high-pressure system over the Pacific Ocean. This high-pressure ridge over the West Coast often creates a pattern of late-night and early-morning low clouds, hazy afternoon sunshine, daytime onshore breezes, and little temperature variation year-round (San Diego County 2007).

The topography of San Diego County varies from western beaches to eastern mountains and desert, with mesas and canyons making up most of the area in between. Regional topography affects air flow and pollutant dispersal, with the mountains in the east physically limiting the mixing and dispersal of pollutants in that direction. In addition, in coastal areas, differences in temperature between warmer upper air and cooler and lower marine air may create an inversion layer that limits vertical dispersion of pollutants. Weak summertime pressure gradients further limit horizontal dispersion of pollutants in the mixed layer below the inversion. Poorly dispersed emissions combined with strong sunshine leads to photochemical reactions and the creation of ozone (O_3) or smog (San Diego County 2007).

The proposed project is located on the coast, with prevailing winds from the west and southwest. The wind rose shown on Figure 3.2-1 displays wind speed and wind direction in the project vicinity (for more information, refer to the Air Quality and Health Risk Assessment

Report in Appendix E). The wind rose shows that wind near the project primarily blows from the west and southwest to the east and northeast for most of the year.

Figure 3.2-1. Windrose of 2020–2022 Meteorological Conditions



Daytime onshore flow (that is, sea breeze) and nighttime offshore flow (that is, land breeze) are common in Southern California. Sea breeze helps moderate daytime temperatures in western San Diego County and may lead to pollutant emissions being blown out to sea at night and returning to land the following day, which is known as atmospheric oscillation. Under certain conditions, this atmospheric oscillation results in the offshore transport of polluted air from the metropolitan Los Angeles region to San Diego County, which may result in high O_3 concentrations in the San Diego area (San Diego County 2007).

3.2.1.2 Criteria Air Pollutants, Ambient Air Quality, and Area Attainment Status

Under the federal *Clean Air Act* (CAA), the US Environmental Protection Agency (EPA) promulgates National Ambient Air Quality Standards (NAAQS) for criteria pollutants to protect public health (primary standards) and public welfare (secondary standards). EPA develops comprehensive documents detailing the basis or criteria for the standards that limit ambient concentrations of these pollutants. Criteria pollutants include O_3, carbon monoxide (CO), oxides of nitrogen (NOx) as nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter less than 10 microns in aerodynamic diameter (PM_{10}), particulate matter less than 2.5 microns in aerodynamic diameter ($PM_{2.5}$), and lead. California also established the California Ambient Air Quality Standards (CAAQS), which further limit allowable concentrations of certain criteria pollutants. Each state or federal standard is comprised of two basic elements: a numerical limit expressed as an allowable concentration in ambient air, and an averaging time that specifies the period over which the concentration value is to be measured. Table 3.2-1 presents current state and federal ambient air quality standards.

Table 3.2-1. State and Federal Ambient Air Quality Standards

Pollutant	Averaging Time	CAAQS	NAAQS
O_3	1-hour	0.09 ppm (180 µg/m^3)	--
	8-hour	0.070 ppm (137 µg/m^3)	0.070 ppm (137 µg/m^3) (3-year average of annual fourth-highest daily maximum)
CO	1-hour	20 ppm (23,000 µg/m^3)	35 ppm (40,000 µg/m^3)
	8-hour	9.0 ppm (10,000 µg/m^3)	9 ppm (10,000 µg/m^3)
NO_2	1-hour	0.18 ppm (339 µg/m^3)	0.100 ppm (188 µg/m^3) (3-year average of annual 98th percentile daily maxima)
	Annual average	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)
SO_2	1-hour	0.25 ppm (655 µg/m^3)	0.075 ppm (196 µg/m^3) (3-year average of annual 99th percentile daily maxima)
	3-hour	--	0.5 ppm (1,300 µg/m^3)[a]
	24-hour	0.04 ppm (105 µg/m^3)	0.14 ppm (365 µg/m^3)[b]
	Annual average	--	0.030 ppm (80 µg/m^3)[b]
PM_{10}	24-hour	50 µg/m^3	150 µg/m^3
	Annual arithmetic mean	20 µg/m^3	--

Table 3.2-1. State and Federal Ambient Air Quality Standards

Pollutant	Averaging Time	CAAQS	NAAQS
$PM_{2.5}$	24-hour	--	35 µg/m^3 (3-year average of annual 98th percentiles)
	Annual arithmetic mean	12 µg/m^3	9 µg/m^3 (3-year average)
Sulfates	24-hour	25 µg/m^3	--
Visibility Reducing Particles	8-hour	Extinction of 0.23 per kilometer	--
H_2S	1-hour	0.03 ppm (42 µg/m^3)	--
Vinyl Chloride	24-hour	0.01 ppm (26 µg/m^3)	--
Lead	30-day	1.5 µg/m^3	--
	3-month rolling average	--	0.15 µg/m^3

Source: CARB 2024.

[a] The 3-hour SO_2 NAAQS is a secondary standard.

[b] The 24-hour and annual 1971 SO_2 NAAQS remain in effect until 1 year after the attainment status is designated by EPA for the 2010 NAAQS (the project area is still undesignated for the 2010 NAAQS but presumed to be in attainment).

-- = not applicable and/or no standard

µg/m^3 = microgram(s) per cubic meter

ppm = part(s) per million

Air quality monitoring data measured over time are used to evaluate an area's compliance with the NAAQS and CAAQS. Background concentrations for criteria air pollutants measured at air monitoring stations in the SDAB are summarized and discussed in the Air Dispersion Modeling and Health Risk Assessment Protocol, which is provided as Attachment 5 of the Air Quality and Health Risk Assessment Report in Appendix E.

Areas with air quality better than an established standard are classified as being in "attainment" for that pollutant and standard. If the measured pollutant concentrations meet or exceed a standard, the area is classified as a "nonattainment" area for that pollutant. The severity of the nonattainment designation can vary from moderate to extreme. If data are not available or sufficient to determine a standard is exceeded in an area, the area is designated as "unclassified." Table 3.2-2 presents the attainment/nonattainment status of the SDAB with respect to the NAAQS and CAAQS. As shown, the EPA has designated San Diego County a severe nonattainment area for 8-hour O_3 under the 2008 and 2015 NAAQS (EPA 2024a). In addition, the area is nonattainment for the CAAQS for O_3, PM_{10}, and $PM_{2.5}$. San Diego County is classified as attainment/unclassified for all other NAAQS and CAAQS.

Table 3.2-2. San Diego Air Basin Attainment Status

Pollutant	Averaging Time	Federal Status	State Status
O_3	1-hour	Unclassified/Attainment	Nonattainment
	8-hour	Nonattainment (Severe)	Nonattainment
CO	All	Unclassified/Attainment	Unclassified/Attainment
NO_2	All	Unclassified/Attainment	Unclassified/Attainment
SO_2	All	Unclassified/Attainment	Unclassified/Attainment
PM_{10}	All	Unclassified/Attainment	Nonattainment
$PM_{2.5}$	All	Unclassified/Attainment	Nonattainment
Sulfates	24-hour	--	Unclassified/Attainment
Visibility Reducing Particles	8-hour	--	Unclassified/Attainment
H_2S	1-hour	--	Unclassified/Attainment
Vinyl Chloride	24-hour	--	Unclassified/Attainment
Lead	All	Unclassified/Attainment	Unclassified/Attainment

Sources: SDAPCD 2023; EPA 2024a.

-- = not applicable and/or no standard

Brief descriptions of sources and health effects for the main criteria pollutants follow.

Ozone

O_3 is a reactive pollutant that is not emitted directly into the atmosphere but rather is a secondary air pollutant produced in the atmosphere through complex photochemical reactions involving volatile organic compounds (VOC) and oxides of nitrogen (NOx). VOC and NOx are therefore known as precursor compounds for O_3. The reaction that forms O_3 is promoted by the presence of sunlight and high air temperatures. Because O_3 formation results from the mixing of precursors, which may happen hours after the pollutants are emitted and miles from the source, O_3 is more of a regional concern than that associated with more localized pollutants such as PM_{10}. Mobile sources such as cars, trucks, maritime vessels, planes, and off-road equipment are the predominant source of O_3 precursors, especially in urban areas. Secondary sources include gasoline marketing and fuel storage areas for VOCs, and power plants and industrial boilers for NOx. Emissions of the O_3 precursors VOC and NOx have decreased over the past two decades because of more stringent equipment standards and cleaner burning fuels.

Short-term exposure to O_3 can irritate the eyes and cause constriction of the airways. In addition to causing shortness of breath, O_3 can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema. O_3 can also cause substantial damage to leaf tissues of crops and natural vegetation, and damage to many building materials by acting as a chemical-oxidizing agent.

Particulate Matter

Both PM_{10} and $PM_{2.5}$ represent fractions of particulate matter, which can be inhaled into the air passages and the lungs and can cause adverse health effects. Particulate matter in the atmosphere results from many kinds of dust- and fume-producing industrial and agricultural operations, combustion, and atmospheric photochemical reactions. Some of these operations, such as demolition and construction activities, contribute to increases in local PM_{10} concentrations, while others, such as vehicular traffic, affect regional PM_{10} concentrations.

Several studies that EPA has relied on have shown an association between exposure to particulate matter, both PM_{10} and $PM_{2.5}$, and respiratory ailments or cardiovascular disease. Other studies have related particulate matter to increases in asthma attacks. In general, these studies have shown that short-term and long-term exposure to particulate matter can cause acute and chronic health effects. $PM_{2.5}$, which can penetrate deep into the lungs, causes more serious respiratory ailments.

Carbon Monoxide

CO is a non-reactive pollutant that is a product of incomplete combustion. Emissions of CO have been declining statewide since the mid-1970s, when catalytic converters were first required in new vehicles. Ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic and are also influenced by meteorological factors such as wind speed and atmospheric mixing. Under inversion conditions, CO concentrations may be distributed more uniformly over an area out to some distance from vehicular sources.

When inhaled at high concentrations, CO combines with hemoglobin in the blood and reduces the oxygen-carrying capacity of blood. This results in reduced amounts of oxygen reaching the brain, heart, and other body tissues. This condition is especially critical for people with cardiovascular diseases, chronic lung disease or anemia, and can be critical for fetuses.

Nitrogen Dioxide and Sulfur Dioxide

NO_2 and SO_2 are two gaseous compounds within a larger group of compounds, NOx and sulfur oxides (SO_X), respectively, which are products of the combustion of fuel. NOx and SO_X emission sources can elevate local NO_2 and SO_2 concentrations, and both are regional precursor compounds to particulate matter. As described above, NOx is also an O_3 precursor compound and can affect regional visibility. (NO_2 is the “whiskey brown-colored” gas readily visible during periods of heavy air pollution.)

Elevated concentrations of these compounds are associated with increased risk of acute and chronic respiratory disease. SO_2 and NO_2 emissions can be oxidized in the atmosphere to eventually form sulfates and nitrates, which contribute to acid rain.

Lead

Gasoline-powered automobile engines used to be the major source of airborne lead in urban areas. The use of lead additives in motor vehicle fuel has been eliminated in California and lead concentrations have declined substantially as a result.

Excessive exposure to lead concentrations can result in gastrointestinal disturbances, anemia, and kidney disease, and, in severe cases, neuromuscular and neurological dysfunction.

3.2.1.3 Toxic Air Contaminants

In addition to the criteria pollutants, concern about noncriteria pollutants, or TACs and hazardous air pollutants (HAPs), has increased in recent years. TACs and HAPs are specific airborne pollutants that may pose a present or potential hazard to human health. In California, a TAC is defined as an air pollutant that may cause or contribute to an increase in mortality or in serious illness, or that may pose a hazard to human health.

TACs can cause long-term or chronic health effects, such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or they may cause short-term acute effects such as eye watering, respiratory irritation (a cough), running nose, throat pain, and headaches. For evaluation purposes, TACs are separated into cancer-causing chemicals (carcinogens) and noncarcinogens based on the physiological effects associated with exposure to the pollutant; some pollutants are evaluated for both carcinogenic and noncarcinogenic health effects.

TACs or HAPs are generated as a result of various processes, including fuel combustion in mobile and stationary engines, chemical storage and use, windblown dust, and industrial processes, such as marine coating, adhesives operations, welding and abrasive blasting operations. There are many different types of TACs, with varying degrees of toxicity. TACs are usually present in minute quantities in the ambient air; however, for some pollutants, their high toxicity or health risk may pose a threat to public health even at low concentrations.

In 1998, California identified particulate matter in diesel exhaust (diesel particulate matter or DPM) as a TAC based on its potential to cause cancer, premature death, asthma attacks, and other respiratory health problems. Overall, diesel engine exhaust emissions are responsible for the majority (approximately 70%) of California's known cancer risk attributable to TACs (CARB 2025b).

Regulatory standards for most TACs involve managing levels of public exposures and levels of health risks from that exposure. Carcinogens are assumed to have no safe threshold below which no health impacts would occur. This contrasts with criteria air pollutants for which acceptable levels of exposure can be determined and for which the ambient standards have been established. For noncarcinogens, estimated exposure concentrations for each substance are compared to reference exposure levels (RELs) established by the California Office of Environmental Health Hazard Assessment (OEHHA). The REL is a concentration in ambient air at, or below which, no adverse health effects are anticipated.

Sensitive populations, such as children or the elderly, are more susceptible to the effects of air pollution than are populations at large. Local agencies, such as air districts, have responsibility for evaluating and controlling TAC emissions, especially when these emissions are released from projects located near sensitive receptors.

For risk assessment studies, SDAPCD defines sensitive receptors to include schools (grades kindergarten through 12), libraries, day care centers, nursing homes, retirement homes, health clinics, and hospitals within 2 kilometers of the facility (SDAPCD 2022a). County of San Diego

CEQA guidance states that "For the purposes of CEQA analysis in the County of San Diego the definition of a sensitive receptor also includes residents" (San Diego County 2007).

3.2.1.4 Odorous Compounds

Air quality may also be affected by odorous compounds. Odors are generally regarded as an annoyance or nuisance, rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (for example, irritation, anger, or anxiety) to physiological (for example, circulatory and respiratory effects, nausea, vomiting, and headache). The ability to detect odors is subjective and varies considerably in any given population. Some individuals can smell minute quantities of specific substances; others may not have the same sensitivity to odors in general; and still others may have variable sensitivity dependent on specific substances. In addition, people may have different reactions to the same odor: an odor that is offensive to one person may be acceptable to another (for example, fast-food restaurant or coffee roaster). It is important to also note that an unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. This is because of the phenomenon known as odor fatigue, in which a person can become desensitized to almost any odor and recognition occurs only with an alteration in the intensity. The meteorological and topographical conditions in the project area also affect the concentration and dispersion of odorous compounds.

Land uses that are major sources of odor typically include landfills, composting operations, wastewater treatment and pumping facilities, painting/coating operations, feed lots/dairies, and various industrial uses such as chemical manufacturing and food processing.

3.2.1.5 Air Pollutant Emission Sources in the Portside Community

SDAPCD's *Community Emissions Reduction Plan, Portside Environmental Justice Neighborhoods, Phase II* (CERP) was developed to reduce the Portside Community's exposure to air pollutant emissions and promote health and environmental justice (SDAPCD 2021). The CERP describes air pollution sources in the area and summarizes available information on emission contributions and potential health effects. This information, summarized below, is used by SDAPCD and the Portside Community to prioritize strategies for reducing emissions and exposures in clean air plans (SDAPCD 2021).

Emissions sources contributing to air pollution in the Portside Community include off-road mobile sources such as locomotives and marine vessels, on-road mobile sources such as cars and trucks, stationary sources such as industrial facilities and power plants, and area-wide sources such as consumer products, and residential water heaters and furnaces (SDAPCD 2021).

Based on the CERP's 2018 Community Baseline Emissions Inventory, the following is known about emissions sources.

- Mobile sources are the predominant contributor of NOx emissions (approximately 95%) in the Portside Community. These emissions are due to fuel combustion in off-road commercial harbor craft, ocean-going vessels, light-duty vehicles, and heavy-heavy-duty trucks. Stationary and area sources contribute the remaining 5% of estimated NOx emissions, primarily from fuel combustion for residences and industry.

- VOC emissions are driven by mobile sources, followed by area and stationary sources. Off-road mobile sources of VOC emissions primarily include off-road industrial equipment and recreational watercraft. On-road mobile-source VOC emissions are almost entirely from the use of lightweight passenger vehicles. Area source VOC emissions are primarily from solvent evaporation from the use of consumer products. Stationary-source VOC emissions are primarily from marine and other coating operations, solvent cleaning, and gasoline storage and dispensing.
- Most PM_{10} and $PM_{2.5}$ emissions come from area sources, such as commercial cooking, construction and demolition, and road dust. Mobile-source particulate matter emissions result from fuel combustion in light-duty vehicles, off-road equipment, and commercial harbor craft. Stationary sources contribute only approximately 5% of the PM_{10} and $PM_{2.5}$ emissions, primarily from industrial processes and fuel combustion.

Based on the limited information available in the CERP, the primary TACs in the Portside Community contributing to exposure and carcinogenic health effects are particulate matter in diesel exhaust (as DPM), hexavalent chromium from welding operations, and benzene and 1,3butadiene from mobile sources. Metals such as manganese and nickel from welding, abrasive blasting, and area sources are linked to non-cancer chronic (long-term) and acute (short-term) health effects (SDAPCD 2021).

3.2.2 Regulatory Setting

Air quality management in California is governed by the federal and California CAAs and the California *Health and Safety Code*. Several levels of government have adopted specific regulations that limit emissions from stationary and mobile sources, some of which apply to the proposed project. The EPA, CARB, and SDAPCD have authority for air quality regulation. Applicable federal, state, and local laws, ordinances, regulations, plans, and standards are discussed in the following sections.

3.2.2.1 Federal

Criteria Air Pollutants

As discussed earlier in this section, EPA has established primary and secondary NAAQS for O_3, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, and lead. The primary standards protect the public health, and the secondary standards protect public welfare. NAAQS are presented in Table 3.2-1.

The federal CAA requires each state to prepare a SIP for attaining and maintaining the NAAQS. The federal *Clean Air Act Amendments of 1990* (CAAA) added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution.

A SIP is modified periodically to reflect the latest emissions inventories, planning documents, and rules and regulations for air basins as reported by their jurisdictional agencies. EPA is responsible for reviewing all SIPs to determine whether they conform to the mandates of the CAA and its amendments, and whether implementation will achieve air quality goals. If EPA determines a SIP to be inadequate, a federal implementation plan that imposes additional control measures may be prepared for the nonattainment area. If an approvable SIP is not

submitted or implemented within the mandated time frame, sanctions may be applied to transportation funding and stationary air pollution sources in the air basin. In California, EPA has delegated authority to manage air quality and prepare SIPs to CARB, and CARB has in turn delegated that authority to individual air districts.

EPA regulates criteria pollutants through its performance standards for new and in-use emission sources as well as its requirements for air pollution controls. These standards are published throughout the 40 CFR. For example, national emissions standards for new marine compression-ignition engines are published in 40 CFR 1042.

Hazardous Air Pollutants and Toxic Air Contaminants

HAPs are hazardous or toxic air pollutants that are known carcinogens or can cause other serious health impacts. Currently, the EPA lists 187 air pollutants as HAPs. For example, HAPs include benzene, which is found in gasoline; perchloroethylene, which is emitted by some dry cleaning operations; asbestos, which may occur naturally; solvents like methylene chloride; and metals such as mercury, chromium, and lead compounds. EPA regulates HAPs through its National Emission Standards for Hazardous Air Pollutants. The standards for a particular source category require the maximum degree of emission reduction that the EPA determines to be achievable, which is known as the maximum achievable control technology standards. These standards are authorized in CAA Section 112, and regulations are published in 40 CFR Parts 61 and 63.

3.2.2.2 State

CARB is the California agency responsible for coordination and oversight of state and local air pollution control programs, and CARB is responsible for implementing the California CAA, which was adopted in 1988. CARB's jurisdiction and responsibilities include:

- Implement the state's motor vehicle pollution control program.
- Administer and coordinate the state's air pollution research program.
- Adopt and update the CAAQS.
- Review operations of the local air pollution control districts to ensure compliance with state laws.
- Review and coordinate preparation of the SIP.

Criteria Air Pollutants

CARB has established CAAQS for sulfates, hydrogen sulfide, vinyl chloride, visibility-reducing particles, and the above-mentioned criteria air pollutants (Table 3.2-1). In most cases, the CAAQS are more stringent than the NAAQS. Differences in the standards are generally explained by the health effects studies considered during the standard-setting process and the interpretation of the studies. In addition, the CAAQS incorporate a margin of safety to protect sensitive individuals.

The California CAA requires that all local air districts in the state endeavor to attain and maintain the CAAQS by the earliest date practical. The California CAA specifies that local air districts should focus particular attention on reducing the emissions from stationary and

areawide emission sources. It also provides air districts with the authority to regulate indirect sources and to establish traffic control measures.

The CCRs include numerous rules governing operations of emission sources in California. For example, 17 CCR Sections 92000 to 92530 specify that abrasive blasting operations in California must not exceed visible emission standards, must not cause a nuisance, must use certified blast materials, and must meet performance standards.

Toxic Air Contaminants

TACs are defined as airborne pollutants that "may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health" per California *Health and Safety Code* Section 39655. TACs in California are regulated primarily through the *Tanner Air Toxics Act* (Assembly Bill [AB] 1807) and the *Air Toxics Hot Spots Information and Assessment Act of 1987* (AB 2588).

AB 1807 sets forth a formal procedure for CARB to designate substances as TACs. Research, public participation, and scientific peer review are required before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and adopted EPA's list of HAPs as TACs. After a TAC is identified, CARB adopts airborne toxics control measures (ATCMs) for sources that emit that particular TAC. For example, DPM was added to CARB's list of TACs, and rulemaking and incentive programs for cleaner equipment and fuels have followed.

AB 2588 requires that existing facilities that emit toxic substances above a specified level prepare an inventory of toxic emissions, prepare a risk assessment if emissions are significant, notify the public of significant risk levels, and prepare and implement risk reduction measures.

AB 617 established the Community Air Protection Program (CAPP) to focus on reducing exposure in communities most impacted by air pollution. The CAPP establishes communitywide air monitoring and emission reduction programs and provides funding to incentivize early actions to deploy cleaner technologies in the affected communities.

The ATCM for stationary compression-ignition engines, as codified in 17 CCR Section 93115 is aimed at reducing DPM and criteria pollutant emissions from stationary diesel-fueled compression-ignition engines through fuel requirements, operational restrictions, and emission limits. The ATCM applies to points of sale of stationary compression-ignition engines for use in California except portable engines, engines for motive power, auxiliary engines on marine vessels, and agricultural wind machines. The comparable ATCM for portable diesel-fueled compression-ignition engines is codified in 17 CCR Section 93116. Fleet owners, contractors, and facilities managing rental of portable engines are responsible for compliance with fleet average standards and recordkeeping and reporting.

CARB has adopted diesel exhaust control measures and more stringent emissions standards for various transportation-related mobile sources of emissions, including heavy-duty trucks and buses, commercial harbor craft, and off-road diesel equipment (for example, tractors, dozers, and generators). Over time, the replacement of older vehicles will result in a vehicle fleet that produces substantially lower levels of TACs than under current conditions. Mobile-source emissions of TACs (for example, benzene, 1,3-butadiene, and DPM) have been reduced

significantly over the last decade and will be reduced further in California through a progression of regulatory measures (for example, low-emission vehicle/clean fuels and Phase 2 reformulated gasoline regulations) and control technologies. As emissions are reduced, risks associated with exposure to the emissions have also been reduced.

Odorous Compounds

Odorous compounds fall under requirements in California *Health and Safety Code* Section 41700, which prohibits the discharge from a facility of air pollutants that cause injury, detriment, nuisance, or annoyance to the public, or which endanger the comfort, repose, health, or safety of the public, or that damage business or property.

3.2.2.3 Local

SDAPCD attains and maintains air quality conditions in San Diego County through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. SDAPCD oversees control of air pollution emissions including criteria air pollutants and TACs from direct sources (such as factories) and indirect sources (such as land use projects) to improve air quality in San Diego County. SDAPCD's clean air strategy includes preparing plans for the attainment of ambient air quality standards, developing and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, and adopting policies and programs to manage emissions. SDAPCD also inspects stationary sources of air pollution and responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements programs and regulations required by the California CAA and Federal CAA and amendments.

Regional Clean Air Plans

As presented in Table 3.2-2, the SDAB is currently designated as nonattainment under the NAAQS and CAAQS for O_3 and was designated as nonattainment under the CAAQS for PM_{10} and $PM_{2.5}$. As required by the federal and California CAAs, SDAPCD works with CARB and other local agencies to develop and implement clean air plans describing strategies and control measures to reduce emissions and achieve and maintain the NAAQS and CAAQS. SDAPCD developed the *2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County* (SDAPCD 2020) to reduce emissions of O_3 precursors, VOC and NOx, to meet the NAAQS for O_3 by specified dates. The plan was approved by the SDAPCD Board of Directors on October 14, 2020, and by CARB on November 19, 2020. On January 8, 2021, CARB subsequently submitted the plan for EPA's consideration as a revision to the California SIP for attaining O_3 standards (SDAPCD 2025). The plan relies on emissions forecasts based on demographic and economic growth projections provided by City and County general plans.

In addition to the federal plan, SDAPCD prepared the 2022 RAQS to identify actions that further reduce emissions and attain the CAAQS for O_3 (SDAPCD 2022b). The 2022 RAQS does not directly address the CAAQS for PM_{10} or $PM_{2.5}$, although many of the adopted measures have indirectly reduced emissions of particulate matter as a co-benefit. The RAQS is periodically updated to reflect new information on air quality, emission trends, and control measures.

Rules and Regulations

The following SDAPCD rules and regulations may apply to the proposed project.

- Rules 20, 20.1, 20.2, and 20.4—*Standards for Granting Permits, New Source Review*. Rule 20 requires that any new or modified source of air emissions in the SDAB obtain an authority-to-construct permit from the SDAPCD prior to construction of the project. General provisions related to permitting, applicability, definitions, and methods for emissions calculations are outlined in Rule 20.1. Per Rule 20.2, emission units with a post-project potential to emit 10 pounds per day or more of PM_{10}, NOx, VOC, or SO_X must be equipped with best available control technology (BACT). An *Air Quality Impact Analysis* (AQIA) must be conducted and accepted by the SDAPCD if project stationary-source emissions are over those presented in Rule 20.2. Requirements that apply to permitting portable emission units are defined in Rule 20.4.
- Rule 50—*Visible Emissions*. Rule 50 establishes limits to the opacity of emissions from sources of air contaminants.
- Rule 51—*Nuisance*. Rule 51 prohibits emissions that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or which endanger the comfort, repose, health, or safety of any such persons or the public; or which cause injury or damage to business or property.
- Rule 52—*Particulate Matter*. Rule 52 Establishes limits to the discharge of any particulate matter from non-stationary sources.
- Rule 54—*Dust and Fumes*. Rule 54 Establishes limits to the amount of dust or fumes discharged into the atmosphere in any single hour.
- Rule 55—*Fugitive Dust Control*. Rule 55 sets restrictions on visible fugitive dust emissions from construction and demolition projects.
- Rule 62—*Sulfur Content of Fuels*. Rule 62 establishes limits on fuel sulfur content for gaseous, liquid, and solid fuels.
- Rule 67.6.1—*Cold Solvent Cleaning and Stripping Operations*. Rule 67.6.1 establishes provisions for cold solvent cleaning and stripping operations.
- Rule 67.17—*Storage of Materials Containing Volatile Organic Compounds*. Rule 67.17 requires materials that contain VOCs to be stored in closed containers.
- Rule 67.18—*Marine Coating Operations*. Rule 67.18 establishes requirements applicable to marine coating operations, including the coating of marine and freshwater vessels, oil drilling platforms, navigational aids, and component parts; and structures intended for exposure to a marine environment.
- Rule 67.21—*Adhesive Material Application Operations*. Rule 67.21 establishes compliance requirements applicable to application, drying, and/or curing of adhesive materials, and associated surface preparation, stripping, and cleanup materials, and the cleaning of application equipment.
- Rule 69.4.1—*Stationary Reciprocating Internal Combustion Engines*. Rule 69.4.1 sets emissions limits, monitoring, testing, and recordkeeping requirements for stationary

internal combustion engines with a brake-horsepower (bhp) rating of 50 or greater, including emergency engines. SDAPCD has indicated Rule 69.4.1 also applies to portable engines that operate under a stationary permit such as a site-wide emergency engines permit.

- Rule 71—*Abrasive Blasting*. Rule 71 sets the requirements for abrasive blasting operations.
- Rule 1200—*Toxic Air Contaminants, New Source Review*. Rule 1200 establishes rules and procedures for evaluating and permitting new or modified emissions sources that would increase emissions of TACs. Rule 1200 requires a risk assessment to demonstrate that exposure of receptors to emissions increases would not exceed an incremental increase in cancer risk of one in one million for any new project without Toxics BACT (T-BACT) and 10 in 1 million with T-BACT installed unless additional conditions are met. Additionally, Rule 1200 specifies that the total acute non-cancer health hazard index (HI) and the total chronic noncancer health HI at every receptor must be equal to or less than one.

There are other SDAPCD administrative or descriptive rules and regulations that may apply to the proposed project, including rules associated with fees, enforcement and penalty actions, and variance procedures.

Local Clean Air Plans Benefiting the Portside Community

The project site is in San Diego's Portside Community, which has been identified by SDAPCD and CARB as a community that experiences disproportionate burdens from exposure to air pollutants. AB 617 was established to reduce air pollutant emissions and exposures in communities most impacted by air pollution. As described earlier, the CAPP establishes community-wide air monitoring and emission reduction programs and provides funding to incentivize early actions to deploy cleaner technologies in the affected communities. As discussed in the following paragraph, the MCAS and CERP were developed as a result of AB 617 to help reduce exposure to harmful emissions in the Portside Community (Port 2021, SDAPCD 2021).

Maritime Clean Air Strategy

In 2021, the Board of Port Commissioners adopted the MCAS as a strategic planning and decision-making framework for future actions to reduce air pollution and improve air quality in and around the waterfront and portside communities of San Diego. The goals and objectives of the MCAS for health equity and a clean, sustainable seaport are aspirational, non-binding, and will be pursued through a variety of means, including strategic partnerships and available and future technology. The overarching goal is for 100% of portside trucks and cargo-handling equipment to be zero-emission vehicles and zero-emission equipment by 2030. The majority of MCAS strategies focus on Port activities and maritime emission sources such as cargo-handling equipment, commercial harbor craft, shipyards, heavy-duty trucks, the Port fleet, ocean-going vessels, and rail; general goals apply to all facilities in the Port District (Port 2021).

Community Emissions Reduction Plan

SDAPCD and CARB adopted the CERP to reduce the Portside Community's exposure to emissions and promote health and environmental justice. The CERP details strategies that are

intended to reduce air pollution emissions and the community's exposure to air pollution. Emissions in the community are primarily from off-road mobile sources, on-road mobile sources, and area sources. Goals include reducing TAC emissions in the community; supporting zero-emission, electric freight truck infrastructure; quantifying health risks from Port and non-Port activities; establishing risk reduction goals; and implementing actions to achieve those goals. CERP goals will be adjusted over time to achieve emission reductions beyond regulatory requirements as technology evolves (SDAPCD 2021).

3.2.3 Thresholds of Significance

The proposed project would result in a significant impact on air quality if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project conflict with or obstruct implementation of the applicable air quality plan?
2. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard?
3. Would the project expose sensitive receptors to substantial pollutant concentrations?
4. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

As stated in Appendix G of the CEQA Guidelines, indicators of significance established by the applicable air district (in this instance SDAPCD), may be relied upon to make the above significance determinations. The significance criteria recommended by SDAPCD are substantially similar to those in CEQA Guidelines of Appendix G, but with some additional specificity.

To support CEQA evaluation of the significance of air quality impacts for project-related emissions, SDAPCD recognizes screening-level thresholds by which the requirement to conduct an AQIA is established (San Diego County 2007). The San Diego County screening-level thresholds are largely based on the AQIA trigger levels for new or modified stationary sources in SDAPCD Rules 20.2 and 20.3. If these incremental levels for stationary sources are exceeded, an AQIA must be performed. For projects with stationary-source emissions that are below these criteria, no AQIA is typically required, and project-level emissions are presumed to be less than significant. Table 3.2-3 lists these screening-level thresholds.

Table 3.2-3. SDAPCD Screening-Level Thresholds for Air Quality Impact Analysis

Pollutant	Emission Rate[a]		
	Pounds/Hour	Pounds/Day	Tons/Year
CO	100	550	100
NOx	25	250	40
PM_{10}	--	100	15

Table 3.2-3. SDAPCD Screening-Level Thresholds for Air Quality Impact Analysis

Pollutant	Emission Rate[a]		
	Pounds/Hour	Pounds/Day	Tons/Year
$PM_{2.5}$	--	55[b]	10
SO_X	25	250	40
Lead and Lead Compounds	--	3.2	0.6
VOC[c]	--	75	13.7[d]

Source: San Diego County 2007.

[a] According to San Diego County, the hourly and yearly levels are most appropriately used in situations when temporary emissions like emergency generators or other stationary sources are proposed as a part of a project. The daily levels are most appropriately used for the standard construction and operational emissions.

[b] EPA's *Proposed Rule to Implement the Fine Particle National Ambient Air Quality Standards* published September 8, 2005. Also used by South Coast Air Quality Management District.

[c] Threshold based on the threshold of significance for VOCs from South Coast Air Quality Management District for Coachella Valley.

[d] 13.7 tons/year threshold based on 75 pounds/day multiplied by 365 days/year and divided by 2,000 pounds/ton.

-- = not applicable and/or no threshold

An HRA is required to evaluate potential human health risks associated with exposure to pollutant concentrations resulting from net increases of project-related TAC emissions. To determine impacts, health risk and HI results are compared to SDAPCD's recommended thresholds of significance for exposure and health risks (SDAPCD 2022a). The thresholds are as follows:

- Incremental increase in cancer risk of 10 in 1 million individuals
- Chronic hazard index (HIC) of 1.0
- Acute hazard index (HIA) of 1.0
- Cancer burden of 1.0

3.2.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in the preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable. Methods and approaches used for estimation of emissions and evaluation of project-related air quality and health risk impacts are briefly discussed. Results have been compared to applicable indicators of significant air quality impacts for criteria pollutants and TAC emissions from construction and operation of the proposed project. For each threshold, findings of the impact analysis are summarized.

3.2.4.1 Methods and Approach

Construction Emissions Methodology

Construction activities for the proposed project would be associated with the FDD and would involve pile-driving activities for mooring dolphins and wharf construction, and FDD placement. Construction activities would include using diesel-fueled construction equipment, vehicles, and welding operations on the wharf. Construction equipment would include specialized overwater equipment such as a diesel and/or hydraulic hammer, crane, loader, forklift and generator set. Combustion emissions of criteria pollutants and TACs from fossil fuel-fired equipment and vehicles used during construction may result in air quality impacts.

Construction activities would be temporary and short-term. Additionally, construction emissions would be minimized through limiting vehicle and equipment idling during construction and by using alternative fuels or zero-emission vehicles/equipment where feasible. All equipment and construction equipment/materials would be removed at the completion of construction. Construction activities for the proposed project were previously analyzed in the *Final Environmental Assessment for the Floating Dry Dock Project* (Final EA) developed by Naval Facilities Engineering Command Southwest (NAVFAC SW), a Command of the Navy, on behalf of NBSD (NAVFAC SW 2020). Construction emissions estimated in the Navy's Final EA for access structures, mooring dolphins, and fender pile construction for installation of an FDD at the Austal USA facility have been used to support this analysis (NAVFAC 2020). In addition to these estimates, emissions were calculated for construction-related welding operations and worker commutes expected during the construction duration. These emissions calculations conservatively assumed the use of listed equipment for 8 hours per day for 70 days. The revised estimate of remaining construction for FDD installation assumed only 8 hours per day of construction for up to 8 weeks (or 40 days in total) in the Final EA. As a result, anticipated project-related construction emissions would be even lower than those used in the current analysis.

Detailed calculations and associated assumptions for construction-related project emission estimates are provided in Appendix E, in Attachment 2 of the Air Quality and Health Risk Assessment Report.

Operations Emissions Methodology

In this CEQA analysis, emissions for proposed project operations have been estimated based on details and assumptions provided by Austal USA, the project applicant. Emissions of criteria pollutants and TACs were quantified and assessed using agency-approved software, tools, techniques, and emission factors. The proposed project would include the operation of an FDD to maintain and repair maritime vessels. Vessel maintenance and repair processes would rely on contractor-supplied equipment and would be required to use low-emission technologies and/or electrification to the extent feasible. Emissions estimates for a typical operating hour, day, and year were based on assumptions related to the expected vessels to be serviced, and operational, fuel, and chemical use data.

Operation of the proposed project would result in air emissions from mobile and stationary sources. Mobile sources would include maritime vessel (tugboat) operations, and on-road

vehicle trips for haul trucks and employee commutes. Emissions for vessel and tugboat operations were estimated using emission factors and information from Appendix H of CARB's *Port Emissions Inventory Guidance* (CARB 2021) and Appendix D of the EPA's *Port Emissions Inventory Guidance* (EPA 2022). Emissions from on-road travel for workers and haul trucks were estimated using emission factors from EMFAC2021, based on SDAPCD defaults and aggregated speed and vehicle age data (CARB 2023).

Stationary emissions sources at the FDD would include welding, abrasive blasting, adhesive use, maritime coating and solvent application and use, and diesel emergency generators. Welding and adhesive use would occur in the operations building, on the FDD, and on vessels at the South Pier. Abrasive blasting and use of marine coatings and solvents would occur on the FDD and on vessels at the South Pier. Operational rates, SDAPCD default emission factors, and specific safety data sheet (SDS) composition information were used to estimate emissions for welding and abrasive blasting. Use or material rates and SDS composition information were used to estimate emissions for adhesive, marine coating, and solvent usage. Specific emission estimation details are provided in the following amendments to air quality permit applications for each operation type dated April 2, 2025:

- Facility-wide portable marine coating and solvent usage operations, permit application APCD2023-APP-07845
- Welding operations at the FDD, the existing pier, and the shipyard welding shop, permit application APCD2023-APP-07894
- Facility-wide abrasive blasting operations, permit application APCD2024-APP-08447
- Facility-wide adhesive use operations, permit application APCD2024-APP-08445

Two 600-kilowatt (kW) diesel-fueled emergency generators would support the FDD. These engines would be certified to meet Tier 3 marine compression-ignition engine standards and would be limited to 52 hours of maintenance and testing per year. In addition, temporary, portable diesel-fueled emergency equipment would be used facility-wide for response to emergencies and fires. Facility-wide portable emergency equipment would be required to meet Tier 4 engine standards. Equipment may vary in size but would be permitted to operate at a combined maximum annual equipment usage rate of 850 bhp, and a maximum hourly usage rate of 850 bhp. A maximum total of 50 hours of maintenance and testing per year would be required for the facility-wide portable emergency equipment. The FDD portion of the facility is expected to also have electric portable equipment; no emission estimates are included for those units. Specific emission estimation details for the facility-wide portable emergency equipment and FDD emergency generators are in the following amendments to air quality permit applications dated April 2, 2025:

- Facility-wide portable emergency internal combustion engines, permit application APCD2023-APP-07842
- Two FDD stationary emergency generator engines, permit applications APCD2023-APP-07843 and APCD2023-APP-07844

Operations Emissions Control Measures and Best Management Practices

All proposed project operations would be conducted under existing or new permits from SDAPCD. All sources undergoing permitting would implement control measures that would qualify as T-BACT, as described in Appendix E (M. S. Hatch Consulting 2025). The proposed emission limitations and control techniques for the emission units and processes subject to air permitting are described below.

Welding

For proposed welding operations at the FDD, the existing pier, and the shipyard welding shop at the Austal USA facility, Austal USA plans to implement controls to capture and manage welding fumes generated in the welding shop and to apply work practice standards for outdoor welding operations on the vessels. In the welding shop, a combination of hood and curtain systems—with a capture efficiency of 98%—would be used to collect welding fumes. These fumes would be routed through a baghouse with high-efficiency particulate air (HEPA) filters, which provide a particulate control efficiency of 99.97%. This system would achieve an overall reduction in particulate TAC emissions of at least 97.97%. For outdoor welding operations, Austal USA would apply work practice standards recommended by EPA, as practicable, and in accordance with sound welding engineering principles to minimize TAC emissions, while maintaining weld quality. Currently, there are no feasible options to capture and control welding fumes from operations onboard a vessel while meeting OSHA requirements and applicable fire safety codes. Therefore, Austal USA would minimize TAC emissions from outdoor welding operations on vessels by applying work practice standards recommended by the EPA, as practicable, and in accordance with sound welding engineering principles while maintaining weld quality. Capturing and controlling welding fumes from the welding shop and applying work practice standards to the outdoor welding on the vessels would meet T-BACT for this source category.

Abrasive Blasting

Facility-wide abrasive blast operations would be performed either inside a vessel (for example, blasting to clean inside the ship's tanks) or on the surface of the vessel, underwater hull, or flight deck. Only CARB-certified blast media or hydroblasting techniques would be used. For work inside a vessel, dry abrasive blast operations would be contained, and blast materials would be vacuumed by a system equipped with filters. This setup would achieve a minimum particulate control efficiency of 97%. The dry blasting work on the vessel surface would be conducted under shrouding and the exhaust would be directed to a dust collector/filter system that achieves at least 97% control of particulate TACs. Additionally, vacuum blasting would be utilized on non-skid flight decks, providing an additional particulate control efficiency of 99%. With these controls in place, this source category would meet T-BACT.

Marine Coating and Solvent Use

Marine coating and solvent use operations would comply with applicable SDAPCD rules and permit conditions, including material use and emission limits. Using BMPs, compliant coatings and solvents would be applied by hand, brush, roller, and spray application. In February 2025, Austal USA performed a BACT analysis for this source category, including a top-down BACT analysis, in support of permitting. The BACT analysis demonstrated that no add-on control

technologies have been achieved in practice or demonstrated in the field for portable marine coating and solvent usage operations. Further, add-on control technologies such as thermal oxidizers, catalytic oxidizers, carbon adsorbers, absorbers or liquid scrubbers, and condensers are not technologically feasible due to the intermittent nature of the operations, low pollutant concentrations, and chemicals contained in some coatings (for example, ketones) that could potentially damage the control equipment. Since no add-on controls are feasible for this operation, compliance with the applicable rules and permit conditions (including usage/emission limits) meet T-BACT for this operation.

Adhesive Use

Facility-wide adhesive operations would comply with applicable SDAPCD rules and permit conditions, including material use and emission limits. Only SDAPCD-compliant adhesives would be used. In addition, Austal USA is proposing to limit VOCs emitted from this operation to 10 pounds per day, which would also effectively limit the TACs emitted from this operation. Like portable marine coating and solvent usage operations, no add-on control technologies have been achieved in practice or demonstrated in the field for portable adhesive operations. Furthermore, add-on control technologies listed above are not technologically feasible due to the intermittent nature of the operations and low pollutant concentrations. Therefore, compliance with the applicable rules and permit conditions (including usage/emission limits) meet T-BACT for this source category.

Portable Emergency Equipment

Austal USA has applied for a site-wide permit to operate emergency generators and fire pumps. This equipment is generally brought onsite on a temporary basis as a precautionary measure to respond to fires and other emergencies that could occur during ship repair and construction activities. Only Tier 4 Final engines would be used, which would meet T-BACT for this source category.

Emergency Generators

Two diesel-fired emergency generators, integral to the FDD design, would provide emergency standby power to the FDD in case shore power is interrupted. The two new FDD stationary emergency generator engines are EPA-certified Marine Tier 3 compression-ignition engines with limited daily and annual operations, which meet applicable state and federal regulatory requirements for their class of vessel engines. As required by federal and state law, only ultra-low-sulfur diesel fuel with a sulfur content of 0.0015% by weight (15 parts per million [ppm]) or less would be used. The two diesel-powered emergency generators are designed and installed as part of the FDD's standard equipment. They are housed in a protected compartment to avoid water exposure. The compartment is a tight space with little to no access and, as currently configured, it is not feasible to access the engine exhaust systems to retrofit the engines with additional emission control equipment. Partial or complete dismantling of walls or structures would be required to access the engines. Repowering the FDD with Tier 4 engines is also infeasible. On this basis, the proposed EPA-certified Marine Tier 3 diesel engines with limited daily and annual operations would meet T-BACT for this category of source.

Detailed calculations and associated assumptions for operation-related project emission estimates are provided in Appendix E, in Attachment 1 of the Air Quality and Health Risk Assessment Report. All assumptions used in these calculations will be made enforceable through conditions on Permits to Operate issued by the SDAPCD. Only assumptions that could be made enforceable were considered when calculating emissions.

For non-permitted emission sources, the following BMPs are proposed. These practices are not accounted for in the air quality emission calculations; however, they will be implemented by Austal as part of the proposed project.

Worker Commutes

- Encourage carpooling, public transit, or bike to work.
- Provide electric vehicle (EV) charging stations to promote EV use.

Haul Truck Trips

- Encourage trucks with the latest emission control technology (for example, EPA-certified Tier 4 or equivalent engines).
- Encourage zero-emission haul trucks where feasible.
- Encourage operators to use renewable fuels.
- Enforce strict anti-idling policies for all haul trucks.

On-Site Vehicle Operations

- Encourage electric-powered vehicles such as forklifts.
- Install additional onsite charging stations.
- Maintain onsite equipment regularly to ensure peak performance.
- Enforce speed limits and optimized driving practices to reduce fuel consumption.
- Establish designated routes to minimize unnecessary travel within the site.

Maritime Vessel Operations

- Require cleanest-available Tier engines, as feasible.
- Encourage renewable diesel or alternative fuels such as liquefied natural gas or hydrogen.
- Encourage cleaner auxiliary engines.

3.2.4.2 Health Risk Assessment Methodology

The HRA (Appendix E) was conducted to evaluate potential human health risks associated with exposure to pollutant concentrations resulting from net increases of project-related TAC emissions during construction or operation. In accordance with the approved protocol,[1] the HRA was developed using air dispersion modeling of the project related emissions and characterization of the resultant exposures and health risks using approved risk assessment methodology for both carcinogenic and noncarcinogenic risks from OEHHA's *Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2015), CARB's *Risk Management Guidance*

[1] The *Air Dispersion Modeling and Health Risk Assessment Protocol for Austal USA* (provided as Attachment 5 of Appendix E, the Air Quality and Health Risk Assessment Report) was submitted to the SDAPCD on September 11, 2024, and was approved on October 1, 2024.

for Stationary Sources of Air Toxics (CARB 2015), and SDAPCD's *Supplemental Guidelines for Submission of Air Toxics "Hot Spots" Program Health Risk Assessments (HRAs)* (SDAPCD 2022a). HRA results are described in detail in Appendix E. The HRA followed four general steps to estimate health impacts:

1. Identification and quantification of project-related TAC emissions
2. Evaluation of pollutant transport (using air dispersion modeling) to estimate ground-level TAC concentrations at each receptor location in the plotted receptor grid and at sensitive receptor locations
3. Assessment of human exposures
4. Use of a risk characterization model to estimate the potential health risks at each receptor location

A Tier 1 assessment is the most conservative of the four tier assessment methodologies identified in the OEHHA guidance and uses a standard point-estimate approach with standard OEHHA assumptions. The 2015 OEHHA guidance uses AERMOD-predicted pollutant concentrations, exposure assumptions, and approved health values (that is, pollutant-specific cancer potency values and RELs) to predict potential health impacts. Consistent with SDAPCD's recommended thresholds of significance, health risk results are presented in terms of the incremental increase in lifetime cancer risk, HIC, HIA, and cancer burden.

Risk was evaluated for each of the following four receptor types:

- Point of maximum impact (PMI)
- Maximally exposed individual resident (MEIR)
- Maximally exposed individual worker (MEIW)
- Maximally exposed sensitive receptor (MESR)

3.2.4.3 Impacts and Mitigation Measures

Threshold 1: Would the project conflict with or obstruct implementation of the applicable air quality plan?

Impact Discussion

As indicated previously, the SDAB is currently designated as nonattainment for the NAAQS and CAAQS for O_3 and designated as nonattainment for the CAAQS for PM_{10} and $PM_{2.5}$. As required by law, SDAPCD developed the *2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County* (SDAPCD 2020) to reduce emissions of O_3 precursors, VOC and NOx, to meet the O_3 NAAQS by specified dates. In January 2021, CARB submitted SDAPCD's 2020 O_3 plan for EPA's consideration as a revision to the California SIP for attaining the O_3 standards. The *2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County* (2020 Attainment Plan) (SDAPCD 2020) relies on emissions forecasts based on demographic and economic growth projections provided by City and County general plans. In addition to the federal plan, SDAPCD has prepared a 2022 RAQS to identify actions to further reduce emissions and attain the O_3 CAAQS (SDAPCD 2022b). The 2022 RAQS does not

directly address the CAAQS for PM_{10} or $PM_{2.5}$, although many of the adopted measures indirectly reduce emissions of particulate matter as a co-benefit. The RAQS is periodically updated to reflect new information on air quality, emission trends, and control measures. Projects with growth included in the projections used to formulate the 2020 Attainment Plan and 2022 RAQS are assumed to be consistent and would not interfere with applicable air quality plans.

The Portside Community CERP details strategies that are intended to reduce air pollution emissions and the community's exposure to air pollution. Emissions in the community are primarily from off-road mobile sources, on-road mobile sources, and area sources. The CERP outlines 10 primary goals that target reducing DPM emissions, transitioning to zero-emission vehicles, developing a community-wide comprehensive HRA, and determining ways to reduce public health risk. CERP's goals will are to be adjusted over time to achieve emission reductions beyond regulatory requirements as technology evolves (SDAPCD 2021).

The Port of San Diego's MCAS is another plan that was developed to outline strategies to reduce emissions of air pollution and reduce exposures and associated health risks within San Diego's Portside Community. The MCAS focuses on goals to transition trucks and cargo-handling equipment to zero-emission vehicles and zero-emission equipment. There is a large focus on the reduction of emissions from the Port's harbor craft, fleet, and ocean-going vessels through upgrades, transitions, and controls.

Construction of the proposed project would include short-term criteria air pollutant emissions from fossil fuel-powered equipment and from worker commute travel. As presented in the discussion for Threshold 2 below, the project's construction-related emissions would not result in net increases of nonattainment criteria pollutants or precursors at levels greater than the thresholds of significance established by SDAPCD as shown in Table 3.2-4. Additionally, during construction, Austal USA plans to limit vehicle and equipment idling and use alternative fuels or zero-emission vehicles/equipment where feasible. These actions support CERP and MCAS goals by reducing DPM emissions. Therefore, construction of the proposed project is likely to not conflict with or obstruct implementation of the applicable air quality plans.

Operation of the proposed project would include new sources of air pollution such as mobile sources (via on-road vehicles and maritime vessels), welding, abrasive blasting, adhesive use, marine coating and solvent application, and diesel emergency generators. Additional employees would be needed once the project is operational to support the planned operations.

Detailed analysis of maximum hourly, daily, and annual project-related operational emissions, as presented in the discussion for Threshold 2, indicates that the proposed project would not result in net increases of nonattainment criteria pollutants or precursors at levels greater than the thresholds of significance established by SDAPCD. Furthermore, the section above details operations emissions control measures and BMPs that would reduce DPM to the extent feasible from diesel engines, encourage the use of EVs through EV charging station installation, and using electric haul trucks when able and available. These measures align with goals of local air plans including the RAQS, CERP, and MCAS. As a result, operation of the proposed project would not conflict with or obstruct implementation of the San Diego RAQS, or applicable portions of California's SIP.

As presented in the discussion for Threshold 3, estimates of project-related TAC emissions and the associated exposure analysis, hazard characterization, and risk assessment indicate that the project's operations have the potential to result in slight increases in human exposures and health risks in the Portside Community. These slight increases are well below SDAPCD's recommended thresholds of significance for exposure and health risks (SDAPCD 2022a). With implementation of control measures, use of compliant materials and fuels, and through compliance with conditions of operating permits issued by the SDAPCD, the potential for project-related operations and emissions to conflict with CERP and MCAS exposure and risk reduction goals would be less than significant.

Level of Significance

Construction

Construction emissions and impacts would be less than significant, and the proposed project would not conflict with or obstruct implementation of the applicable air quality plans.

Operations

Emissions associated with project operations would be less than thresholds of significance established by SDAPCD. As a result, the proposed project would not conflict with or obstruct implementation of the San Diego RAQS, or applicable portions of California's SIP. With implementation of control measures, use of compliant materials and fuels, and compliance with conditions of operating permits issued by the SDAPCD, the potential for project-related operations and emissions to conflict with MCAS and CERP exposure and risk reduction goals would be less than significant. Therefore, this impact would be less than significant.

Mitigation Measures

No mitigation measures are required.

Threshold 2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard?

Impact Discussion

The SDAB is designated as a nonattainment area with respect to the NAAQS and CAAQS for O_3, and the CAAQS for $PM_{2.5}$ and PM_{10}. The mass emission thresholds developed by SDAPCD and used as screening levels for this CEQA analysis are tied to attaining and maintaining these health-based standards. Projects that exceed these thresholds would result in a cumulative, regional contribution (that is, significant) to the nonattainment status of the SDAB and may also contribute to adverse health impacts affecting nearby receptors.

Project Construction-Related Criteria Air Pollutant Emissions

Estimated maximum annual emissions associated with construction of the proposed project[2] are summarized in Table 3.2-4 and compared to the applicable SDAPCD thresholds of

[2] Emissions associated with equipment use and welding are as presented in the Navy's Final EA (NAVFAC SW 2020). Emissions associated with worker commutes were estimated using 2021 emission factors. Haul trucks are not expected to be used during the construction phase.

significance. As stated previously, these activities would be temporary and short-term. Again, detailed calculations and associated assumptions for construction-related project emission estimates are provided in Appendix E, in Attachment 2 of the Air Quality and Health Risk Assessment Report.

As shown in Tables 3.2-4 and 3.2-5, the estimated hourly and annual project emissions would not exceed the applicable SDAPCD thresholds of significance. Therefore, criteria pollutant emissions generated during project construction would not result in a cumulatively considerable net increase of criteria pollutants or precursors for which the SDAB is designated as nonattainment for CAAQS and NAAQS. This impact would be less than significant.

Table 3.2-4. Estimated Hourly Construction Emissions for Equipment, Worker Commutes, and Welding

Estimated Net Emissions of Construction	Hourly Emissions (pounds/hour)					
	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Construction Phase Equipment	0.60	7.88	3.52	0.53	0.55	0.54
Construction Worker Commutes	0.03	0.09	1.15	< 0.01	0.02	0.01
Construction-Related Welding	--	--	--	--	0.01	0.01
Total Hourly Emissions	0.64	7.97	4.68	0.53	0.58	0.55
SDAPCD Screening-Level Thresholds[a]	--	25	100	25	--	--
Annual Emissions Exceed Screening-Level Thresholds?	--	No	No	No	--	--

[a] SDAPCD screening-level thresholds developed from County of San Diego's *Guidelines for Determining Significance and Report Format Content Requirements* (San Diego County 2007).

-- = not applicable or not available

< = less than

Table 3.2-5. Estimated Annual Construction Emissions for Equipment, Worker Commutes, and Welding

Estimated Net Emissions of Construction	Annual Emissions (tons/year)					
	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Construction Phase Equipment	0.16	2.06	0.93	0.14	0.15	0.14
Construction Worker Commutes	< 0.01	< 0.01	0.02	< 0.01	< 0.01	< 0.01
Construction-Related Welding	--	--	--	--	0.002	0.002
Total Annual Emissions	0.16	2.06	0.95	0.14	0.15	0.14
SDAPCD Screening-Level Thresholds[a]	13.7	40	100	40	15	10
Annual Emissions Exceed Screening-Level Thresholds?	No	No	No	No	No	No

Table 3.2-5. Estimated Annual Construction Emissions for Equipment, Worker Commutes, and Welding

Estimated Net Emissions of Construction	Annual Emissions (tons/year)					
	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$

[a] SDAPCD screening-level thresholds developed from County of San Diego's *Guidelines for Determining Significance and Report Format Content Requirements* (San Diego County 2007).

-- = not applicable or not available

< = less than

Project Operations-Related Criteria Air Pollutant Emissions

Estimated maximum hourly, daily, and annual emissions associated with operation of the proposed project are summarized in Tables 3.2-6, 3.2-7, and 3.2-8, respectively, and compared to the applicable SDAPCD thresholds of significance. Again, detailed calculations and associated assumptions for operation-related project emission estimates are provided in Appendix E, in Attachment 1 of the Air Quality and Health Risk Assessment Report.

As shown in Tables 3.2-5, 3.2-6, and 3.2-7, the estimated hourly, daily, and annual project emissions, respectively, would not exceed the applicable SDAPCD thresholds of significance. Therefore, criteria pollutant emissions generated during project operations would not result in a cumulatively considerable net increase of criteria pollutants or precursors for which the SDAB is designated as nonattainment for CAAQS and NAAQS. This impact would be less than significant.

Table 3.2-6. Proposed Project Operations Hourly Air Emissions Summary

Emission Process	Hourly Emissions (pounds/hour)					
	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Worker Commutes and Haul Trucks	0.23	0.86	7.52	0.02	0.13	0.05
Maritime Vessels	0.86	14.81	2.68	0.02	0.43	0.42
Welding Operations	--	--	--	--	0.05	0.05
Abrasive Blasting Operations	--	--	--	--	0.03	--
Marine Coating and Solvent Application Operations	5.50	--	--	--	0.26	0.26
Adhesive Application Operations	3.06	--	--	--	--	--
Facility-Wide Portable Internal Combustion Engines	0.26	0.92	4.82	0.01	0.04	0.04
FDD Stationary Diesel Emergency Generators	0.47	14.21	6.05	0.02	0.24	0.24
Maximum Hourly Emissions[a]	9.52	15.99	18.40	0.05	0.75	0.63
Maximum Hourly Stationary-Source Emissions[b]	9.29	15.14	10.88	0.03	0.62	0.58
SDAPCD Screening-Level Thresholds[c]	--	25	100	25	--	--

Table 3.2-6. Proposed Project Operations Hourly Air Emissions Summary

Emission Process	Hourly Emissions (pounds/hour)					
	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Maximum Hourly Emissions Exceed Screening-Level Thresholds?	--	No	No	No	--	--
Maximum Hourly Stationary-Source Emissions Exceed Screening-Level Thresholds?	--	No	No	No	--	--

[a] Vessel transit and maintenance activities would not occur concurrently. Therefore, maximum hourly emissions are calculated as the maximum between vessel transit operations and maintenance-related operations.

[b] Includes stationary sources and emergency generators for comparison to thresholds.

[c] SDAPCD screening-level thresholds developed from San Diego County's *Guidelines for Determining Significance and Report Format Content Requirements* (San Diego County 2007).

-- = not applicable or not available

Table 3.2-7. Proposed Project Operations Daily Air Emissions Summary

Emission Process	Daily Emissions (pounds/day)					
	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Worker Commutes and Haul Trucks	0.23	0.86	7.52	0.02	0.13	0.05
Maritime Vessels	0.86	14.81	2.68	0.02	0.43	0.42
Welding Operations	--	--	--	--	0.07	0.07
Abrasive Blasting Operations	--	--	--	--	0.17	--
Marine Coating and Solvent Application Operations	55.00	--	--	--	2.59	2.59
Adhesive Application Operations	10.00	--	--	--	--	--
Facility-Wide Portable Internal Combustion Engines	0.26	0.92	4.82	0.01	0.04	0.04
FDD Stationary Diesel Emergency Generators	0.59	17.77	7.57	0.02	0.30	0.30
Total Daily Emissions	66.94	34.35	22.59	0.07	3.73	3.47
Total Daily Stationary-Source Emissions[a]	65.85	18.69	12.39	0.03	3.17	3.00
SDAPCD Screening-Level Thresholds[b]	75	250	550	250	100	55
Daily Emissions Exceed Screening-Level Thresholds?	No	No	No	No	No	No
Stationary-Source Emissions Exceed Screening-Level Thresholds?	No	No	No	No	No	No

Table 3.2-7. Proposed Project Operations Daily Air Emissions Summary

Emission Process	Daily Emissions (pounds/day)					
	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$

[a] Includes stationary sources and emergency generators for comparison to thresholds.

[b] SDAPCD screening-level thresholds developed from County of San Diego's *Guidelines for Determining Significance and Report Format Content Requirements* (San Diego County 2007).

-- = not applicable or not available

Table 3.2-8. Proposed Project Operations Annual Air Emissions Summary

Emission Process	Annual Emissions (tons/year)					
	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Worker Commutes and Haul Trucks	0.03	0.08	0.98	< 0.01	0.02	0.01
Maritime Vessels	< 0.01	0.03	0.01	< 0.01	< 0.01	< 0.01
Welding Operations	--	--	--	--	0.01	0.01
Abrasive Blasting Operations	--	--	--	--	0.02	--
Marine Coating and Solvent Application Operations	3.86	--	--	--	0.21	0.21
Adhesive Application Operations	< 0.01	--	--	--	--	--
Facility-Wide Portable Internal Combustion Engines	0.01	0.02	0.12	< 0.01	< 0.01	< 0.01
FDD Stationary Diesel Emergency Generators	0.01	0.37	0.16	< 0.01	0.01	0.01
Total Annual Emissions	3.91	0.50	1.26	< 0.01	0.26	0.23
Total Annual Stationary-Source Emissions[a]	3.88	0.39	0.28	< 0.01	0.24	0.22
SDAPCD Screening-Level Thresholds[b]	13.7	40	100	40	15	10
Annual Emissions Exceed Screening-Level Thresholds?	No	No	No	No	No	No

[a] Includes stationary sources and emergency generators for comparison to thresholds.

[b] SDAPCD screening-level thresholds developed from County of San Diego's *Guidelines for Determining Significance and Report Format Content Requirements* (San Diego County 2007).

-- = not applicable or not available
< = less than

Analysis of the specific health consequences associated with estimated emissions of criteria pollutants and O_3 precursors from an individual project is not feasible at this time. In this project analysis, comparison of emission results to SDAPCD's numerical thresholds is used as a surrogate for evaluation of potential health impacts. SDAPCD's air quality thresholds of significance for project-level CEQA evaluation are used to evaluate the extent to which a project's emissions of criteria air pollutants and precursors would contribute to regional degradation of ambient air quality. As a result, the SDAPCD thresholds are tied to achieving or maintaining attainment with the health-protective NAAQS and CAAQS.

Level of Significance

Construction

As shown in Table 3.2-4, emissions generated during construction would not exceed the SDAPCD's thresholds of significance. Therefore, criteria pollutant emissions generated during project construction would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard. Therefore, this impact would be less than significant.

Operations

As shown in Tables 3.2-6, 3.2-7, and 3.2-8, the estimated hourly, daily, and annual project operational emissions, respectively, would not exceed the applicable SDAPCD thresholds of significance. Therefore, criteria pollutant emissions generated during project operations would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard. Therefore, this impact would be less than significant.

Mitigation Measures

No mitigation measures are required.

Threshold 3: Would the project expose sensitive receptors to substantial pollutant concentrations?

Impact Discussion

As part of the HRA, sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling unit(s). Sensitive receptors within 2 kilometers of the proposed project were assessed in the HRA (Appendix E); the nearest sensitive receptor is approximately 1.01 kilometers (0.68 mile) from the Austal USA facility fence line.

For the purposes of CEQA, any receptor location where an individual may be exposed to TAC emissions from the proposed facility is considered a sensitive receptor. This includes any worker or residential receptor location evaluated in the area surrounding the Austal USA facility.

These sensitive receptors could be exposed to criteria air pollutants as well as a variety of TACs emitted during project construction or operation. However, based on the HRA results for construction and operations (Appendix E), the health risks at the MEIR, MEW, and MESR are below the incremental cancer risk (10 in 1 million), non-cancer HIC (1.0), and non-cancer HIA (1.0) thresholds of significance. Based on the HRA results, the project is not expected to expose sensitive receptors to substantial pollutant concentrations and has a less-than-significant impact.

Level of Significance

Construction

During the remaining construction duration, the facility is expected to emit criteria air pollutant and TAC emissions from construction equipment, worker commutes, and welding operations. As shown in Appendix E, the incremental cancer risk at the MEIR, MEIW, and MESR are 0.05, 0.64, and 0.09 in 1 million, respectively. All non-cancer chronic and acute risks are below the HI of 1.0. A cancer burden analysis was not performed for the construction phase of the proposed project as it is a temporary phase. The construction duration is far less than the 70-year exposure period assumed for a cancer burden analysis. Therefore, it is assumed project construction would have negligible impacts on cancer burden in the area. Based on this, it is expected that emissions from construction will have a less-than-significant impact on nearby sensitive receptors.

Operations

Expected operation of the facility would have the potential to release criteria air pollutant and TAC emissions from diesel-fired engines, abrasive blasting, welding, marine coating and solvent use, adhesive use, maritime vessel operation, and haul trucks. As shown in Appendix E, the incremental cancer risk at the MEIR, MEIW, and MESR are 0.33, 1.85, and 0.18 in 1 million, respectively. Predicted facility-wide impacts for the proposed project are below the cancer risk significance threshold of 10 in a million at each of these locations. All non-cancer HIC and HIA results are below the hazard index of 1.0. Additionally, because no incremental cancer risk is above 1.0 in 1 million at census receptors within 6 miles of the proposed project, the estimated cancer burden is 0.00. This indicates that impacts from the proposed project would not be associated with any significant increase in cancer cases in the population. Based on this, it is expected that emissions from operations will have a less-than-significant impact on nearby sensitive receptors.

Mitigation Measures

No mitigation measures are required.

Threshold 4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Impact Discussion

Construction

Construction of the proposed project would not result in other emissions, including those leading to odors that would adversely affect a substantial number of people. Typical odor nuisances include hydrogen sulfide, ammonia, chlorine, and other sulfide-related emissions. However, no significant sources of these pollutants would be used during construction. Construction of the proposed project would require use of diesel-based equipment that would result in emissions of diesel exhaust. Diesel odors from construction may be perceived as objectionable in low concentrations. However, any odors from construction would be periodic

and temporary in nature. Therefore, impacts related to odors and other emissions during construction would be less than significant.

Operations

Project operations are not expected to result in odor-related impacts, and implementation of the proposed project would not result in exposure of a substantial number of people to objectionable odors. Project operations would not include activities that typically generate odors, such as those associated with wastewater treatment facilities, sanitary landfills, composting facilities, petroleum refineries, chemical manufacturing plants, or food processing facilities. Minor odors from diesel equipment, maritime transit, and emergency generator maintenance, coatings and adhesive application and testing activities would be intermittent and temporary, and any odors would dissipate rapidly from the source with an increase in distance. Therefore, this impact would be less than significant.

Level of Significance

Less than significant.

Mitigation Measures

No mitigation measures are required.

3.3 Biological Resources

3.3.1 Environmental Setting

The project site is located in south-central San Diego Bay, which is a coastal area known for its diverse marine habitats and proximity to urban centers. The Bay supports many resident and migratory fish, as well as special-status wildlife—species or habitats at risk of becoming threatened, endangered, or extinct. Seabirds use the rocky intertidal zones, while sea turtles forage in areas with submerged aquatic vegetation. Eelgrass (*Zostera marina*) beds are a prevalent type of submerged aquatic vegetation found in San Diego Bay. These underwater meadows play a crucial role in the ecosystem by providing essential habitat for a diverse array of marine life. Various fish species, including juvenile fish, rely on eelgrass beds for shelter and foraging grounds. Invertebrates such as crabs, shrimp, and mollusks find refuge and sustenance within these dense underwater forests. Additionally, eelgrass beds serve as vital feeding and nesting areas for waterfowl, contributing to the overall biodiversity and health of the Bay's aquatic environment. The presence of eelgrass not only supports marine life but also helps stabilize the sediment and improve water quality by filtering pollutants and absorbing excess nutrients.

South San Diego Bay hosts a variety of fish species, including California halibut (*Paralichthys californicus*), California corbina (*Menticirrhus undulatus*), and California anchovy (*Engraulis mordax*). Resident and migratory bird species use the Bay for foraging, nesting, and resting. The US Fish and Wildlife Service (USFWS) manages the Sweetwater Marsh Unit, which is part of the San Diego Bay National Wildlife Refuge (Refuge) located approximately 1 mile south of the proposed project site. Sweetwater Marsh provides habitat for endangered or threatened species and has been home to over 200 bird species, including the federally endangered light-footed Ridgway's rail (*Rallus obsoletus levipes*) and the state-endangered Belding's savannah sparrow (*Passerculus sandwichensis beldingi*) (USFWS n.d.).

The proposed project site consists of deep subtidal habitat, defined as areas deeper than 20 feet. This deep subtidal area was created by dredging and is muddy and lacks eelgrass or attached algae. A survey for caulerpa, an invasive seaweed, conducted in May 2023 did not find any caulerpa in the proposed project site (M&A 2023). The adjacent land area is a developed industrial zone that does not contain essential habitat features such as trees or coastal sage scrub for sensitive or special-status species. The proposed project site does not contain any state or federally protected wetlands. The National Wetlands Inventory mapper classifies this part of San Diego Bay as estuarine and marine deepwater habitat, which is not considered a wetland because it is continuously covered with tidal salt water.

San Diego Bay contains habitats for species protected under the federal ESA, *Marine Mammal Protection Act* (MMPA), MBTA, and *Magnuson-Stevens Fishery Conservation and Management Act* (MSA). These protections are discussed in the following sections.

Federally Endangered Species

Two federally listed species found in San Diego Bay could occur in the project area: the green sea turtle (*Chelonia mydas*) and the California least tern (*Sterna antillarum browni*).

The San Diego Bay green sea turtle population is part of the East Pacific distinct population segment, which is listed as threatened under the federal ESA. While there is a potential for a green sea turtle to be present in the vicinity of the FDD, the project footprint and immediate surrounding area contains minimal suitable foraging habitat (that is, submerged aquatic vegetation) (M&A 2014). Furthermore, the project site is adjacent to active piers to both the north and south, which reduces the likelihood that a green sea turtle would enter the project site. Given the lack of eelgrass and limited food resources, the potential for green sea turtles to occur in the project area would be likely limited to wandering individuals.

California least terns, a federal and state-listed endangered species, do not nest at or near the project site. A California Natural Diversity Database (CNDDB) search was completed for three quads (National City, Point Loma, and Imperial Beach) to determine the potential for California least terns to nest near the project site. The most recent documented nesting occurrence within the three-quad search for this species occurred in 2015, approximately 5.93 miles northwest of the project site at a helicopter landing zone on the property of the Naval Air Station North Island (CDFW 2024). California least terns occasionally forage along the shoreline and in the open waters of San Diego Bay (Port and NAVFAC 2013). The presence of heavy industry and lack of suitable foraging habitat in this area is responsible for the lack of observed or documented California least terns in the vicinity of the project site. Therefore, the potential for California least terns to occur in the project area would be limited to the occasional fly-over in search of schooling prey species.

Marine Mammals

The most frequently observed marine mammals in San Diego Bay are the California sea lion (*Zalophus californianus*), which often rest on buoys and other structures and occur throughout the North to North-Central Bay; coastal bottlenose dolphins (*Tursiops truncatus*), which are regularly seen in the North Bay; Pacific harbor seals (*Phoca vitulina*), which frequently enter the North Bay; and common dolphins (*Delphinus* spp.), which are rare visitors in the North Bay. California gray whales (*Eschrichtius robustus*) are occasionally sighted near the mouth of San Diego Bay during their winter migration (Navy and Port 2013) and occasionally enter the Bay. The California sea lion would be the most likely marine mammal to be present in the project area, with potential for the rare occurrence of the coastal bottlenose dolphin (Port and NAVFAC 2013). However, California sea lions are primarily observed north of the Coronado Bridge, which is approximately 2.8 miles from the project site (M&A 2008; Graham and Saunders 2015; Wood 2020) and there are no sea lion rookeries or haul outs within the project site or the surrounding vicinity. Potential for occurrence of marine mammals within the project area is expected to be low.

Birds

The majority of bird species within the San Diego Bay are covered by the MBTA, including when they are transiting or migrating through the area. San Diego Bay is part of a major bird

migratory pathway known as the Pacific Flyway and supports large populations of over-wintering birds traveling between northern breeding grounds and southern wintering sites, with over 300 migratory and resident bird species documented to use the Bay (Navy and Port 2013; Tierra Data 2018). The most common birds along the developed NBSD shoreline and adjacent deep subtidal waters are waterfowl (ducks) and seabirds (gulls and terns). Species present in the project vicinity would likely include: surf scoter (*Melanitta perspicillata*), eared grebe (*Podiceps nigricollis*), brant (*Branta bernicla*), scaup species (*Aythya* spp.), bufflehead (*Bucephala albeola*), elegant tern (*Thalasseus elegans*), western gull (*Larus occidentalis*), California gull (*Larus californicus*), Forster's tern (*Sterna forsteri*), California brown pelican (*Pelecanus occidentalis*), Heermann's gull (*Larus heermanni*), double-crested cormorant (*Phalacrocorax auritus*), mallard (*Anas platyrhynchos*), and great blue heron (*Ardea herodias*) (Tierra Data 2018). Several species, as noted below, are considered sensitive by USFWS or the California Department of Fish and Wildlife (CDFW).

Bird species that are not threatened or endangered but are of state or federal concern that have the potential to occur in the vicinity of the proposed project include the common loon (*Gavia immer*), double crested cormorant, osprey (*Pandion haliaetus*), gull-billed tern (*Sterna nilotica*), California gull, black skimmer (*Rynchops niger*), great blue heron, black-crowned night heron (*Nycticorax nycticorax*), Forster's tern, and elegant tern. Most of these species are considered sensitive only where breeding or nesting occurs; they prefer natural habitats such as intertidal flats, shallow-water areas, or human-made structures for foraging and resting.

The project area is located on the mainland side of the Bay and includes human-made structures and open-water habitat. Bird abundance and diversity are relatively low in the project area compared with the opposite (Coronado) shore and the South Bay (Navy and Port 2013; Tierra Data 2018). Industrial areas typically lack the necessary environmental features and resources that these birds require for breeding or nesting. These industrial sites are often characterized by high levels of human activity and noise, which can deter birds from nesting or breeding within these areas. Birds generally seek quieter, more secluded environments for these activities to ensure the safety and survival of their offspring. Industrial areas usually do not provide the specific types of nesting sites that these birds need. For example, species like the osprey and great blue heron require tall trees or structures near water, while terns and skimmers need sandy or gravelly substrates, which are typically absent in industrial zones. While some birds may forage in areas adjacent to industrial sites, the availability of food resources in the industrial site itself is likely insufficient to support breeding or nesting activities. Birds need reliable and abundant food sources to raise their young successfully. In summary, while these bird species might be observed foraging or resting near the project area, the industrial nature of the site makes it an unsuitable environment for breeding or nesting.

Fisheries and Essential Fish Habitat

San Diego Bay is a significant tidal basin connected to the ocean and is not classified as a stream, river, canal, lake, or reservoir (Chu et al. 2009). The Bay is not considered an anadromous water meaning that it does not support the same type of anadromous fish populations found in more Northern California rivers and streams (NMFS 2024b). The project site is located within an area designated by NMFS as EFH in two Fishery Management Plans: the

Pacific Coast Groundfish Fishery Management Plan and the *Coastal Pelagic Species Management Plan*.

Coastal pelagic species are those fish that live in the water column, whereas groundfish species live near the sea floor. The coastal pelagic species fishery includes four finfish (Pacific sardine [*Sardinops sagax*], Pacific [chub] mackerel [*Scomber japonicus*], northern anchovy [*Engraulis mordax*], and jack mackerel [*Trachurus symmetricus*]) and the invertebrate, market squid (*Doryteuthis opalescens*) (PFMC 2024). Pelagic species can generally be found anywhere from the surface to a depth of 3,300 feet. San Diego Bay is entirely within the boundary of EFH for coastal pelagic species finfish. All except market squid are likely to occur in the Bay. Finfish are highly transient and two, the northern anchovy and Pacific sardine, can be found throughout the Bay. Jack mackerel and Pacific mackerel are typically found in the north, north-central, and south-central ecoregions of the Bay (Allen et al. 2002). All the coastal pelagic fish species have been documented to occur in deep subtidal habitat, and all but the jack mackerel, which is less common, and therefore less likely to have been detected in the few surveys conducted, have been documented around human-made structures (M&A 2014).

The *Pacific Coast Groundfish Fishery Management Plan* manages 86 species over a large ecologically diverse area covering the entire West Coast of the continental US. Although groundfish are those fish considered demersal (that is, fish that live on or near the seabed), they occupy diverse habitats at all stages in their life histories. EFH areas may be large because a species' pelagic eggs and larvae are widely dispersed for example, or comparatively small, as is the case with the adults of many nearshore rockfishes, which show strong affinities to a particular location or type of substrate. Species that occur in San Diego Bay are curlfin sole (*Pleuronichthys decurrens*), English sole (*Parophrys vetulus*), California scorpionfish (*Scorpaena guttata*), grass rockfish (*Sebastes rastrelliger*), leopard shark (*Triakis semifasciata*), and soupfin shark (*Galeorhinus galeus*). However, the species rarity in all or parts of San Diego Bay makes it unlikely that any would occur the project area (M&A 2014). Eelgrass habitat is managed by NMFS as EFH. The 10 fish species that occur in San Diego Bay managed by the *Pacific Coast Groundfish Fishery Management Plan* and the *Coastal Pelagic Species Management Plan* are listed in Table 3.3-1.

Table 3.3-1. Fish Species Managed by Fishery Management Plans

Fishery Management Plan	Common Name	Scientific Name
Pacific Coast Groundfish Fishery Management Plan	California scorpionfish	*Scorpaena guttata*
	grass rockfish	*Sebastes rastrelliger*
	English sole	*Parophrys vetulus*
	curlfin sole	*Pleuronichthys decurrens*
	leopard shark	*Triakis semifasciata*
	soupfin shark	*Galeorhinus galeus*
Coastal Pelagic Fishery Management Plan	northern anchovy	*Engraulis mordax*
	Pacific sardine	*Sardinops sagax*

Table 3.3-1. Fish Species Managed by Fishery Management Plans

Fishery Management Plan	Common Name	Scientific Name
	Pacific mackerel	*Scomber japonicus*
	jack mackerel	*Trachurus symmetricus*

3.3.2 Regulatory Setting

3.3.2.1 Federal

Federal Endangered Species Act

The federal ESA of 1973 (16 *United States Code* [USC] Sections 1531–1544), as amended, protects plants, fish, and wildlife that are listed as endangered or threatened by USFWS or NMFS. Section 9 of the federal ESA prohibits the "take" of listed fish and wildlife, where "take" is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct" (50 CFR 17.3). For plants, this statute prohibits removing, possessing, maliciously damaging, or destroying any listed plant under federal jurisdiction and removing, cutting, digging up, damaging, or destroying any listed plant in knowing violation of state law (16 USC 1538).

Under Section 7 of the federal ESA, federal agencies are required to consult with USFWS and/or NMFS, as applicable, if their actions—including permit approvals or funding—may affect a federally listed species (including plants) or designated critical habitat. If a project is likely to adversely affect a species, the federal agency will initiate formal consultation with USFWS and/or NMFS and issue a biological opinion as to whether a proposed agency action is likely to jeopardize the continued existence of a listed species (jeopardy) or adversely modify critical habitat (adverse modification). As part of the biological opinion, USFWS may issue an incidental take statement allowing take of the species that is incidental to an otherwise authorized activity, provided that the action will not jeopardize the continued existence of the species or adversely modify designated critical habitat.

Marine Mammal Protection Act of 1972

The MMPA (16 USC Sections 1361–1423h) was enacted to protect all marine mammal species and population stocks in US waters. The MMPA prohibits the "take" of marine mammals, where "take" is defined as "to harass, hunt, capture, or kill" any marine mammal, or attempt to do so. This includes actions that have the potential to injure or disturb marine mammals by disrupting their behavioral patterns, such as migration, breathing, nursing, breeding, feeding, or sheltering.

Under the MMPA, three federal entities share responsibility for marine mammal protection: NMFS, USFWS, and the Marine Mammal Commission. NMFS is responsible for the protection of whales, dolphins, porpoises, seals, and sea lions, while USFWS oversees the protection of walruses, manatees, sea otters, and polar bears. The Marine Mammal Commission provides independent oversight of the policies and actions of these agencies.

The MMPA also includes provisions for the issuance of permits for incidental take, which allows for the unintentional taking of small numbers of marine mammals during activities such as commercial fishing, provided that the impact on the species or stock is negligible. Additionally, the MMPA requires that any activity that may affect marine mammals undergo a rigorous review process to ensure that it does not significantly impact the population or ecosystem.

The history of IHAs is presented in Table 3.3-2. After the IHA renewal, NMFS confirmed that no subsequent IHA renewals are allowed past September 14, 2023. However, permitting delays caused the remaining 2 to 3 weeks of pile driving to be completed after the renewed IHA expired. Therefore, Austal USA will implement a ZTS (Appendix C) that incorporates protocols for monitoring requirements set forth in the renewed IHA, presenting current analysis of the remaining pile-driving activities scheduled to take place at the FDD location. The ZTS uses the existing acoustical analysis and corresponding monitoring zones that were generated during the IHA renewal process (NAVFAC SW and Austal USA 2022). Austal USA will use the ZTS to implement project shutdowns through PSO(s) when any marine mammal enters the Level B monitoring zones.

Table 3.3-2. Summary of Incidental Harassment Authorizations

IHA Type	IHA Signature Date	IHA Time Period		Reference
		Start	End	
Initial	May 27, 2020	September 15, 2020	September 14, 2021	NMFS 2020b
Re-issue	July 21, 2021	September 15, 2021	September 14, 2022	NMFS 2021
Renewal	October 10, 2022	October 10, 2022	September 14, 2023	NMFS 2022

Coastal Zone Management Act of 1972

The CZMA (16 USC Sections 1451–1466), as amended, aims to preserve, protect, develop, and, where possible, restore or enhance the resources of the nation's coastal zone. The act is administered by the National Oceanic and Atmospheric Administration (NOAA) and provides a framework for states to develop and implement coastal zone management programs.

For the proposed FDD installation in San Diego's south-central Bay, which involves driving piles, CZMA Section 307 requires federal agencies to ensure that their actions are consistent with the enforceable policies of California's coastal management program. This federal consistency review process necessitates consultation with the California Coastal Commission to evaluate the potential impacts on coastal resources.

Magnuson-Stevens Fishery Conservation and Management Act of 1976

The MSA (16 USC Sections 1801–1891d), as amended, is the primary law governing marine fisheries management in US federal waters. The act aims to foster the long-term biological and economic sustainability of marine fisheries. It is administered by NOAA and establishes a framework for managing and conserving fishery resources.

For the proposed FDD installation in San Diego's south-central Bay, which involves driving piles, the MSA requires federal agencies to ensure that their actions do not adversely affect EFH.

Under the MSA, federal agencies must consult with NMFS to assess the potential impacts of their actions on EFH and to develop measures to avoid, minimize, or mitigate any adverse effects.

If the project is determined to have adverse effects on EFH, NMFS may recommend modifications to the project to protect fish habitats. The goal is to balance the need for the FDD installation with the protection of marine resources, ensuring sustainable development while minimizing harm to fish habitats and populations.

Migratory Bird Treaty Act of 1918

The MBTA (16 USC Sections 703–711) protects all migratory birds, including active nests and eggs. Birds protected under the MBTA include all native waterfowl, shorebirds, hawks, eagles, owls, doves, and other common birds such as ravens, crows, sparrows, finches, swallows, and others, including their body parts (for example feathers and plumes), active nests, and eggs. A complete list of protected species can be found in 50 CFR 10.13. Enforcement of the provisions of the federal MBTA is the responsibility of USFWS. Because the MBTA does not have a "take" provision, there is no permitting system in place for intentional or unintentional take of migratory birds.

Bald and Golden Eagle Protection Act

The *Bald and Golden Eagle Protection Act* (16 USC Sections 668–668c) prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles, including their parts, nests, or eggs. The act provides criminal and civil penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." "Disturb" is defined as "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

Waters and Wetlands: Clean Water Act Sections 401 and 404

The purpose of the CWA (33 USC Section 1251 et seq.) is to "restore and maintain the chemical, physical, and biological integrity of the nation's waters." Waters of the United States include rivers, streams, estuaries, the territorial seas, ponds, lakes, and wetlands. Wetlands are defined as those areas "that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3).

USACE issues permits for work in wetlands and other waters of the United States based on guidelines established under CWA Section 404, which prohibits the discharge of dredged or fill material into waters of the United States, including wetlands, without a permit from USACE. The EPA also has authority over wetlands and may, under CWA Section 404 subdivision (c), veto a USACE permit.

CWA Section 401 requires all CWA Section 404 permit actions to obtain a state Water Quality Certification or waiver, as described in more detail in Section 3.8, *Hydrology and Water Quality*.

In 2015, USACE and EPA issued the Clean Water Rule (2015 Rule), intended to clarify areas under the jurisdiction of the CWA. The 2015 Rule was stayed in court rulings soon afterward. On February 17, 2017, an Executive Order was issued regarding the 2015 Rule. The Executive Order and the subsequent EPA and USACE Proposed Rule called for the 2015 Rule to be reviewed and rescinded or revised in accordance with the Executive Order. On August 16, 2018, the US Court of Appeals for the Sixth Circuit stay was enjoined by the US District Court for South Carolina. The final "Revised Definition of 'Waters of the United States'" rule was published in the *Federal Register* on January 18, 2023, and took effect on March 20, 2023. The agencies developed the 2023 Rule with consideration of the relevant provisions of the CWA and the statute as a whole, relevant Supreme Court case law, and the agencies' technical expertise after more than 45 years of implementing the longstanding pre-2015 "waters of the United States" framework. The 2023 Rule also considers the best available science and extensive public comment to establish a definition of "waters of the United States" that supports public health, environmental protection, agricultural activity, and economic growth.

3.3.2.2 State

California Endangered Species Act

The California ESA, as codified in *California Fish and Game Code* Sections 2050–2098, prohibits the take of state-listed endangered, threatened, or candidate species unless specifically authorized by CDFW. The state definition of "take" is to hunt, pursue, catch, capture, or kill a member of a listed species, or to attempt to do so. CDFW administers California ESA and authorizes take through permits or memoranda of understanding issued under Section 2081 of California ESA, or through a consistency determination issued under *California Fish and Game Code Section* 2080.1. *California Fish and Game Code* Section 2090 requires state agencies to comply with threatened and endangered species protection and recovery and to promote conservation of these species.

California Fish and Game Code

California Fish and Game Code Section 1600 et seq. requires a Lake or Streambed Alteration Notification for any project activities that may substantially divert or obstruct the natural flow of any river, stream, or lake; substantially change or use material from the bed, channel, or bank of any river, stream, or lake; or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into a river, stream, or lake. Upon notification, CDFW determines whether the activity will substantially adversely affect an existing fish or wildlife resource and, if so, issues a Streambed Alteration Agreement.

California Fish and Game Code Sections 1900 et seq., the California Native Plant Protection Act, protects rare plants listed as threatened, endangered, and rare. The Native Plant Act of 1973 (*California Fish and Game Code* Sections 1900–1913) includes provisions that prohibit the taking of endangered or rare native plants. CDFW administers the Native Plant Protection Act, which applies to plants listed as "rare" under 14 CCR Section 670.2(c). CDFW may issue permits, agreements, plans, or programs that authorize rare plant impacts pursuant to 14 CCR

Section 786.9. *California Fish and Game Code Section* 1913, subdivision (b) includes a specific provision to allow for the incidental removal of endangered or rare plant species, if not otherwise salvaged by CDFW, within a right-of-way to allow a public utility to fulfill its obligation to provide service to the public.

California Fish and Game Code Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. *California Fish and Game Code* Section 3503.5 protects all birds of prey and their eggs and nests. *California Fish and Game Code* Section 3511 describes bird species, primarily raptors, that are "fully protected." Fully protected birds may not be taken or possessed, except under specific permit requirements. *California Fish and Game Code* Section 3513 makes it unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird.

California Fish and Game Code Sections 4700, 5050, and 5515 list mammal, amphibian, and reptile species that are fully protected in California.

14 California Code of Regulations Sections 670.2 and 670.5

14 CCR Sections 670.2 and 670.5 list animals designated as threatened or endangered in California. California "Species of Concern" is a category conferred by the CDFW on those species that are indicators of regional habitat changes or considered potential future protected species. California Species of Concern do not have any special legal status but are intended by CDFW for use as a management tool to take these species into special consideration when decisions are made concerning the future of any land parcel.

California Environmental Quality Act

CEQA (as codified in PRC Section 15380) defines "rare" in a broader sense than the California ESA and CDFW definitions of threatened, endangered, or species of special concern. Under this definition, CDFW can request additional consideration of species not otherwise protected. CEQA requires that the effects of a project on environmental resources must be analyzed and assessed using criteria determined by the lead agency.

Porter-Cologne Water Quality Control Act

The *Porter-Cologne Water Quality Control Act* (Porter-Cologne Act) (*California Water Code* Division 7) established the State Water Resources Control Board (SWRCB) and the nine RWQCBs that have jurisdiction over all surface water and groundwater in California, including wetlands, headwaters, and riparian areas. The SWRCB or applicable RWQCB must issue WDR for any activity that discharges waste that could affect the quality of waters of the state.

Porter-Cologne Act Section 13263, *Requirements for Discharge* authorizes the RWQCB to regulate discharges of waste and fill material to waters of the State, including "isolated" waters and wetlands, through the issuance of water quality certifications or waste discharge requirements (WDRs). The RWQCB typically issues WDRs for projects undergoing an Individual CWA Section 404/Rivers and Harbors Act Section 10 process pursuant to USACE and USFWS requirements. Since WDRs must be approved by the elected Board, public outreach is also a component of WDR permitting activity.

California Species of Special Concern

California Species of Special Concern (SSC) is a category conferred by CDFW on fish and wildlife species that satisfies one or more of the following (not necessarily mutually exclusive) criteria: is extirpated from the state or, in the case of birds, is extirpated in its primary season or breeding role; is listed as federally but not state threatened or endangered; meets the state definition of threatened or endangered but has not formally been listed; is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for state threatened or endangered status; or has naturally small populations exhibiting high susceptibility to risk from any factor(s) that, if realized, could lead to declines that would qualify it for state threatened or endangered status. SSC is an administrative classification only, but these species should be considered "special status" for the purposes of this CEQA analysis.

3.3.2.3 Local

Port Master Plan and Integrated Natural Resources Management Plan

The project site is located in an area covered by the PMP and the INRMP. The PMP maintains authority over tidelands and submerged lands conveyed in trust to the Port by the California legislature. It provides guidelines and regulations to ensure the protection of biological resources within these areas. By setting standards for development and use, the PMP helps to preserve the ecological integrity of the tidelands and submerged lands, ensuring that any activities conducted are sustainable and environmentally responsible.

The INRMP complements the PMP by setting forth a long-term vision and strategy for natural resource management within San Diego Bay. It provides detailed direction for the stewardship of natural resources, focusing on conservation, restoration, and sustainable use. The INRMP aims to protect and enhance the habitats and species within the Bay, ensuring their health and resilience. Together, the PMP and INRMP create a comprehensive framework for managing and conserving biological resources, with the PMP providing regulatory authority and the INRMP offering strategic guidance for long-term ecological sustainability.

Coastal Development Permit

A Coastal Development Permit is required for projects within the coastal zone to ensure compliance with the California Coastal Act. This permit ensures that the project aligns with coastal resource protection and land use policies.

3.3.3 Thresholds of Significance

The proposed project would result in a significant impact on biological resources if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

2. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?
3. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
4. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
5. Would the project conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

Based on the *Initial Study* prepared for the proposed project (Appendix A), the project site does not contain any biological resources potentially protected under local policies or ordinances such as tree preservation policies or ordinances. No further analysis of whether the proposed project would conflict with local policies or ordinances protecting biological resources is warranted in this EIR.

3.3.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Impacts on biological resources were evaluated based on the likelihood that special-status species, sensitive habitats, wildlife corridors, and protected trees are present within the proposed project site. Information on biological resources potentially present was obtained through desktop reviews, and relevant literature. The approach seeks to examine likely effects of project construction on the biological resources that are present or have a potential to occur. Magnitude and duration of project construction is accounted for to determine the susceptibility of an affected resource in comparison to the disturbance. The project site includes all areas affected by project development.

Measures incorporated into the proposed project as discussed in Section 2.5.4 and listed in Table 2-1 include those that would avoid or minimize impacts on biological resources. These measures are considered in the following impact analyses.

Threshold 1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

Impact Discussion

Construction

Protected species may be potentially adversely affected by project construction activities such as pile driving and wharf construction, which would cause construction noise, physical disturbances, and turbidity resulting from localized sediment resuspension.

The landside portion of the project site is fully developed and does not contain natural habitat suitable for special-status plant species. Therefore, there would be no impact on special-status plant species.

Noise Impacts

The use of large machinery for construction as well as pile driving could result in construction-induced noise impacts that could alter the behavior of protected species. These impacts could occur from construction activities such as hammering, drilling, operation of heavy construction equipment, or transport of construction materials. The installation of new in-water and overwater structures would also have the potential to result in similar impacts on protected species from in-water construction activities such as pile driving. Construction-induced noise impacts from pile driving could disrupt the foraging behavior of the California least tern if construction occurs during the California least tern nesting season. Other sensitive fish-foraging avian species such as the brown pelican and osprey may similarly be affected.

California least terns do not nest at or near the proposed project site and do not generally occur in the project area due to lack of suitable foraging habitat. Measures listed in Table 2-1 would reduce the potential for noise-related impacts on foraging California least tern, ospreys, and other sensitive fish-feeding avian predators during nesting season. These measures include construction monitoring during the nesting season (BIO-1). The monitor would have the ability to reduce or temporarily stop noise-producing activities if those activities were believed to impact or otherwise alter foraging behavior of sensitive avian species during the nesting season. For instance, construction activities involving use of impact hammers or vibratory pile driving would be limited to the nonbreeding season (that is, September 16 to March 31) for California least terns. The use of impact hammering or vibratory pile driving during the nesting season would require the qualified biologist to establish, to the satisfaction of regulatory agencies, that equivalent or greater protection can be provided by an alternate approach, such as the installation of sound barriers. While disturbance of nesting marine-dependent avian species is not anticipated due to the lack of nesting habitat within the project site, any potential disturbance would be minimized by ensuring that nesting bird behavior is not modified during construction activities that generate loud noises. BIO-1 would require Austal USA to retain a qualified biologist to perform a nesting bird survey before noise-generating activity within 1 week prior to the start of construction utilizing heavy equipment, and if nests are found, survey once per week during construction until use of heavy equipment ceases. If noise levels are anticipated to be 10 decibels (A-weighted scale; dBA) or greater above ambient background noise levels within the vicinity of an active nest, sound barriers with a minimum sound transmission class rating of 28 would be placed between the noise-generating activity and the nest. Distance from the nest would be determined by the qualified biologist based on the

species nesting and the noise acceptability exhibited by the bird. If noise effects cannot be minimized, construction shall be altered, to the extent necessary to ensure that impacts on the nesting species are negligible in a manner determined by regulatory agencies and based on the opinion of the qualified biologist. Potential impacts on protected birds would be less than significant.

Disturbance to fish, sea turtles, and marine mammals from underwater noise generated by pile-driving activities would be minimized through implementation of the ZTS; additional noise-reduction measures are listed in Table 2-1. Construction activities where impact hammer and vibratory pile driving occurs will use a soft start for pile driving (BIO-2). This generally means performance of three pile strikes at reduced (approximately 50%) force, then waiting 30 seconds. This is repeated three times before starting pile driving at full force.

The project will use the existing acoustical analysis and corresponding monitoring zones that were generated during the IHA renewal process (NAVFAC SW and Austal USA 2022). Table 3.3-3 provides the sound source levels for impact pile driving at the standardized reference distance of 10 meters. Piles are assumed to require 600 strikes per pile; this is conservative given the use of additional methods to assist pile installation. Source levels associated with non-impulsive (that is, continuous) sound sources, any of which may be used, are provided in Table 3.3-4. These sources include a vibratory driver/extractor to assist the removal or installation of concrete and steel piles; use of high-pressure water jetting to install or remove concrete piles, and to install steel piles; and the use of pile clippers for the removal of concrete piles.

Data from the most similar activities reported in the *Compendium of Underwater and Airborne Sound Data During Pile Installation and In-Water Demolition Activities in San Diego Bay, California* (Acoustic Compendium) (NAVFAC SW 2020a) or by Caltrans (2020) have been used as proxies for the proposed activities. Each of these sources is assumed to operate for 10 minutes; this is a conservative assumption given that the contractor would be allowed the flexibility to combine and use the most efficient methods. For these purposes, the maximum root mean square sound pressure levels is the only relevant criterion; peak sound pressure levels and sound exposure levels for these types of sources are not usually measured and would exceed only thresholds less than 1 meter from the source.

Table 3.3-3. Single-Strike Underwater Noise Source Levels Modeled for Impact

Pile Type and Diameter	Peak (dB re 1 µPa)	Root Mean Square (dB re 1 µPa)	Sound Exposure Level (dB re 1 μPa^2 sec)
Concrete	20- and 24-inch	188	166
Steel Pipe	24-inch	207	178
	16-inch	182	158

Source: Caltrans 2015.

Notes:

All sound pressure levels are unattenuated; single-strike sound exposure levels are the proxy source levels presented for impact pile driving and were used to calculate distances to permanent threshold shift.

Source levels for 20- and 24-inch concrete square and octagonal are assumed to be the same.

Abbreviations:

dB re 1 µPa = decibels referenced to a pressure of 1 microPascal (measures underwater sound pressure level)

dB re 1 μPa^2 sec = decibels referenced to a pressure of 1 microPascal squared per second (measures underwater sound exposure level)

Table 3.3-4. Underwater Noise Source Levels Modeled for Non-Impulsive Sources

Method	Pile Type	Root Mean Square Sound Pressure Level (dB re 1 µPa)
Vibratory install or extraction	All steel and concrete piles	160[a]
High-pressure water jetting	All steel and concrete piles	158[b]
Large pile clipper	All concrete piles	161[b]

Sources:

[a] Caltrans 2015, based on 24-inch steel sheet pile (no data on vibratory installation or extraction of concrete piles)

[b] NAVFAC SW 2018, high-pressure jetting as used on 24-by-30-inch concrete piles, clipper used on 24-inch-square concrete piles

Notes:

All sound pressure levels are unattenuated

Abbreviations: dB re 1 µPa = decibels referenced to a pressure of 1 microPascal (measures underwater sound pressure levels)

Because the IHA expired on September 14, 2023, and pile-driving activities are still required for the project, Austal USA will implement the ZTS after that date. The ZTS uses Level B monitoring zones as shutdown zones for all relevant activities (Figure 3.3-1).

Figure 3.3-1. Shutdown Zones for Zero Take Strategy, All Piles

Figure 3.3-1
Shutdown Zones for Zero Take Strategy
Austal USA
San Diego Shipyard
National City, California

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BIO-2 provides time for marine mammals, green sea turtles, and fishes to disperse from the sound source area in the event the sound is a source of stress for the animal. However, green sea turtles are not expected to occur at the project site with the exception of the wandering individual, and no sea lion rookeries or haul outs are located within the project site or the surrounding vicinity. Therefore, the potential for airborne acoustic harassment to these species from noise generated during pile driving is less than significant.

BIO-2 is compliance with the protocols in the ZTS. Appendix C contains a complete list of revised marine mammal monitoring protocols related to noise (pages 5 through page 12 of the ZTS). Implementation of these monitoring protocols would be completed to minimize the potential acoustic effects of pile driving.

Turbidity Impacts

Sediment resuspension resulting in temporary increases in turbidity is expected to be minimal. BIO-3 requires contractor education for vessel operations regarding the impacts of propeller wash on erosion of sediment and suspension of fine particulates. This measure requires vessel operators to adjust operations to minimize potential impacts. All vessels would be required to use depth sounders, which are routinely checked to ensure vessels are positioned to avoid shallow-water areas to the extent practical.

Water turbidity resulting from sediment displaced by construction activities, such as pile driving, is unlikely to limit the ability of California least terns and other sensitive fish-foraging avian species to locate prey. Scientific research indicates that while increased water turbidity can affect foraging efficiency, California least terns and similar avian species often adapt by foraging in both turbid and clear waters, sometimes even showing a preference for turbid conditions where prey may be more concentrated (USACE 2012). The implementation of BIO-4 would significantly minimize increased water turbidity caused by pile-driving activities, thereby minimizing impacts on these bird species in San Diego Bay. It is unlikely for the project construction activities to cause an adverse effect on candidate, sensitive, or special-status species resulting from increased turbidity because of their limited scale and duration.

In-water construction activities (pile driving) would occur within an area that has been dredged and as a result does not contain recent sediments. Disturbance of the Bay bottom would occur in the deeper formations. Mission Environmental LLC (2022) found that these deeper formations are clean and consistent with native sediments, with no significant levels of toxicity or environmental risk, and sediment toxicity tests confirmed they do not harm marine life. Therefore, the potential for protected species to experience impacts related to exposure to contaminants from sediment resuspension generated by project construction activities would be less than significant.

Temporary increases in turbidity resulting from project construction activities in the water could adversely impact fish species in San Diego Bay, such as the California halibut, Pacific herring, and northern anchovy. Measures listed in Table 2-1 would reduce the potential for impacts on fish species from increased turbidity. BIO-4. involves deploying a silt curtain around pile-driving or other sediment-disturbing activity areas. The silt curtain, consisting of a hanging ballast-weighted curtain with a surface float line, will extend from the surface into the water

column without disturbing the bottom, based on the lowest tidal elevation and swing of the curtain within the water column. This measure would restrict the visible surface turbidity plume to the area of construction, thereby minimizing the spread of suspended sediments. Containing turbidity, would protect the gills and respiratory functions of fish, maintain water clarity for feeding and predator avoidance, and comply with applicable federal, state, and local regulations, including CWA Sections 401 and 404, and Rivers and Harbors Act Section 10. Therefore, impacts on the aquatic ecosystem and the fish species that inhabit San Diego Bay from increased turbidity would not be significant.

Operations

Dry-docking evolutions could result in mortality of smaller organism such as algae, plankton, fish larvae and eggs through entrainment or of larger organisms through impingement against the screens because of the suction associated with the submergence of the FDD during the gravity filing of the ballast tanks a rate of 9,340 gallons per minute. During the first submergence, the potential for mortality from entrainment and impingement would last for up to 120 minutes when up to 7.5 million gallons of seawater would flow into the ballast tanks. The duration would be 45 minutes for each subsequent submergence. Potential for mortality is negligible because of the short intervals and minimal amount of water compared to the volume of the Bay. In addition, the populations of organisms near the FDD would generally be lower because the project site is within in a dredged deep subtidal habitat that lacks eelgrass, and attached algae is comparatively less suitable for marine organisms than other more vegetated and productive parts of San Diego Bay. Commercially and recreationally valued fish species, such as California halibut, leopard sharks, and Pacific sardines, that may occur in in the broader vicinity of the FDD; are not likely to occur in the previously dredged deep subtidal habitat deepwater bathymetry where the FDD will be placed and ballast tanks would be filled (Allen et al. 2006). In addition, these fish species are highly agile, so they can evade this area entirely once the FDD ballast tanks begin to fill. The deep subtidal habitat and marine waters surrounding the Austal USA shoreline lacks the structural complexity to provide ideal spawning grounds and habitat for these juvenile fish species. Juvenile fish are primarily associated with shallower areas and eelgrass beds, which do not occur in the project areas.

While San Diego Bay is a significant tidal basin connected to the ocean,; the location of the FDD is in an area in south-central San Diego Bay that is not influenced by a stream, river, canal, lake, or reservoir. San Diego Bay does not support anadromous fish populations commonly found in Northern California rivers and streams. The closest known anadromous fish species habitat, specifically the Southern California steelhead (*Oncorhynchus mykiss*), is the San Diego River, which flows into the Pacific Ocean near Mission Bay, just north of San Diego Bay (NMFS 2024b). The filling of the ballast tanks would thus not impact these anadromous species. Furthermore, through coordination with NMFS West Coast Region (B. Chesney, pers. comm., 2024), it was confirmed that the NMFS Southwest Region's Fish Screening Criteria for Anadromous Salmonids (1997) does not apply to proposed project ballast tank operations. It is unlikely that FDD evolutions, would cause a significant adverse effect on marine species in San Diego Bay.

Following placement, operation of the FDD is unlikely to cause sediment resuspension that could result in potential water quality impacts. Dry-docking evolutions are slow, do not

substantially disturb underlying sediments, and are only expected to occur up to four times per year. The presence of the FDD in south San Diego Bay would not significantly add to the amount of maritime traffic associated in the vicinity, and its operational presence would not significantly impact protected species or their habitats.

NBSD requested an informal Section 7 consultation for Austal USA's FDD with NMFS regarding green sea turtles. NMFS concluded that, while an increase in vessel activity at and near the project site could increase vessel collisions with green sea turtles, this is unlikely as vessel speeds in this area are restricted and the area is not considered a likely place of green sea turtle occurrence. NMFS also concluded that interactions between FDD ship maintenance activities and green sea turtles would not be anticipated to occur (NMFS 2020a). Additionally, the potential for marine mammals to occur in the project area is unlikely due to the pre-existing disturbed environment and historically industrialized regime in the project area. With adherence to the operational procedures already in place, potential operations impacts on marine mammals and green sea turtles would be less than significant.

Protected bird species may incur a loss of foraging habitat. However, the project area is developed and routinely subject to ongoing industrial and shipping activities. Large project operations inclusive of the operation of the FDD would not be expected to substantially adversely affect bird species or habitats. Additionally, the loss of square footage of foraging habitat is negligible when considering the size of the ships and the frequency of their presence at this location prior to the installation of the FDD. Therefore, the impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

Impact Discussion

Construction

Terrestrial habitat within the project site is entirely developed and does not contain any natural habitat. Therefore, no terrestrial sensitive natural communities or riparian habitat would be adversely affected as a result of project implementation.

Eelgrass habitat is considered a habitat area of potential concern, as defined by the MSA and is managed by NMFS as EFH. Eelgrass was formerly present at the project site prior to it being dredged. Due to the depth of the recently dredged area (-38 mean lower low water [MLLW]), eelgrass will not regrow within the project footprint. Suitable depths for eelgrass can vary significantly based on site-specific conditions. Generally, eelgrass does not occur deeper than 12 feet MLLW in most protected bays and harbors in Southern California (NMFS 2014). Some

small areas of eelgrass may remain in adjacent areas that were not dredged. Project in-water construction activities would occur in the dredged area that does not contain eelgrass so no direct impact on eelgrass habitat would occur. Indirect impacts on areas of eelgrass that remain near the project site could occur from increased turbidity resulting from sediment disturbance by in-water construction activities. Measures listed in Table 2-1 would ensure that turbidity does not adversely impact any potentially remaining eelgrass in the areas adjacent to the project construction area. These measures include educating vessel operators to avoid disturbing the sediment (BIO-3), deploying silt curtains around sediment-disturbing activities to contain turbidity plumes (BIO-4), and developing an overwater construction staging plan (BIO-5) to prevent prolonged shading of eelgrass. Additionally, a qualified PSO would oversee these activities to ensure compliance and minimize any adverse impacts on eelgrass habitat.

To mitigate for the loss of eelgrass habitat at the project site that resulted from past dredging, credits from the Navy's eelgrass mitigation bank were deducted. Upon completion of project construction, an eelgrass survey would be conducted (BIO-6). The survey would determine the full extent of impact on eelgrass and any necessary adjustments to mitigation in the form of additional mitigation bank credits would be made.

In water construction activity would result in disturbance to the marine environment that could result in a spread of caulerpa if it is present at the proposed project site. In compliance with requirements of the USACE RHA Section 10 and *Marine Protection, Research and Sanctuaries Act* Section 103 permit, and the San Diego RWQCB CWA Section 401 Water Quality Certification, a pre-construction survey of the project area for caulerpa was conducted in accordance with NMFS' Caulerpa Control Protocol in May 2023. No caulerpa was found (M&A 2023). In accordance with the protocol, a caulerpa survey must be conducted not earlier than 90 calendar days before planned work and not later than 30 calendar days before construction. The May 2023 survey results were valid for 90 days. Therefore, a pre-construction caulerpa survey (BIO-7) would be conducted before any new in-water construction activity. The results of this survey will be furnished to the USACE Regulatory Division, NOAA Fisheries, and CDFW at least 15 calendar days before initiation of work in navigable waters. Should any caulerpa be detected, work would not commence work until such time as the infestation has been isolated and treated and the risk of spread is eliminated.

Operations

The location where the FDD, wharf, mooring dolphins, and appurtenances (for example, vehicle and pedestrian ramps) consist of a total of 2.062 acres within a previously dredged subtidal deepwater area, which is not considered ideal habitat for sensitive species such as eelgrass beds or other critical habitats for fish and invertebrates (Allen et al. 2006). Shading from the permanent structures would be limited to deep subtidal habitat and the impact on sensitive natural communities would be minor (Marine Taxonomic Services, Ltd. 2020). The FDD operations, involving raising and lowering the dock by allowing seawater into its ballast tanks and pumping seawater out of its ballast tanks, are expected to occur up to eight times per year (refer to more detailed discussion under Threshold 1 Operations impacts). This limited frequency minimizes the potential for significant impacts on the surrounding marine environment. Aside from the water area of San Diego Bay, the City of National City does not

identify any environmentally sensitive areas on or adjacent to the project site. Therefore, impacts on riparian habitat or other sensitive natural communities would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 3: Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Impact Discussion

Construction/Operations

The proposed project site does not contain any state or federally protected wetlands. The National Wetlands Inventory mapper classifies this part of San Diego Bay as estuarine and marine deepwater habitat which is not considered a wetland because it is continuously covered with tidal salt water. Impacts on species and habitats in the San Diego Bay are addressed under Thresholds 1 and 2. However, because no state or federally protected wetlands are present, no impacts on wetlands would occur.

Level of Significance

No impact.

Mitigation Measures

No mitigation is required.

Threshold 4: Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Impact Discussion

Construction

Wharf construction, pile driving, and FDD placement would not interfere substantially with wildlife movements. The project site is fully developed, does not contain natural terrestrial habitat that could function as a native wildlife nursery site, and is characterized by many existing barriers to wildlife movement, including human-made structures and vessel traffic. The terrestrial portion of the project site is surrounded completely by intensive development and likely does not function as a wildlife movement corridor. Aquatic wildlife, including fish, birds, and marine mammals, likely transit periodically through the marine environment in the project site to access foraging and resting habitat elsewhere in San Diego Bay or at sea. Project construction activities, such as pile driving and operation of construction vessels and noise, may

temporarily interfere with the movement of aquatic wildlife species; however, these impacts would be temporary in nature and there would be no substantial change in conditions on the project site following construction. Therefore, impacts would be less than significant.

Operations

The terrestrial portion of the project site is fully developed for industrial uses and does not contain habitat that could be used for native wildlife as a migratory corridor or as a nursery. The terrestrial portion of the project site is surrounded by commercial development, and it likely does not serve as a wildlife movement corridor. Marine species, including fish, marine mammals, and birds may transit periodically through the marine environment at the project site to access foraging and resting habitat elsewhere in San Diego Bay. The operations occurring on the FDD (overwater portion of the project) would occur over a deep subtidal habitat created by past dredging that does not serve as a fish nursery. There are no anadromous fish species that are known to use this location within the Bay for spawning or migratory purposes. Project operations would not substantially interfere with the movement of migratory or resident fish or wildlife species. Impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 5: Would the project conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

Impact Discussion

Construction/Operations

Applicable local policies and ordinances related to biological resources are the PMP and the INRMP. As discussed in Section 2.6, the project is consistent with the PMP. The INRMP includes objectives and policy recommendations to guide planning, management, conservation, restoration, and enhancement of natural resources in San Diego Bay. As described above, the project is consistent with the INRMP. The proposed project site is located within an existing developed industrial use area. The nearest open space preserve to the project site is Paradise Marsh, which is part of the Refuge and is approximately 0.33-mile southeast of the project site. Project construction and operations would be consistent with other adjacent ongoing activities occurring at the NBSD and Port and would not affect the Refuge.

Project minimization measures as listed in Table 2-1 would avoid or minimize potential adverse impacts on special-status species and their habitats, ensuring compliance with the provisions of adopted habitat conservation plans and local policies. Therefore, the proposed project would not conflict with the provisions of any adopted Habitat Conservation Plan; Natural Communities Conservation Plan; other approved local, regional, or state habitat conservation plan; or any

other local policies or ordinances that protect biological resources. Impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

3.4 Energy Use

3.4.1 Environmental Setting

CEQA Guidelines Section 15126.2(b) requires that an EIR analyze energy impacts for all project phases and components, including transportation-related energy, during construction and operation. This analysis is subject to the rule of reason and shall focus on energy use that is caused by the proposed project.

The proposed project location is immediately south of and adjacent to the NBSD, and immediately north of and adjacent to the Port's National City Marine Terminal in San Diego Bay. SDG&E provides electricity and natural gas services to the Austal USA facility. According to the SGD&E 2022 Power Content Label, SDG&E supplied 41.4% of its power from eligible renewable resources compared to 36.9% for the state of California (SDG&E 2024).

Most petroleum fuel refined in California is for use in on-road motor vehicles and is refined within California to meet state-specific formulations required by CARB. The major categories of petroleum fuels are gasoline and diesel for passenger vehicles, transit vehicles, rail, and aircraft; and fuel oil for industry and emergency electrical power generation. Other liquid fuels include kerosene, jet fuel, and residual fuel oil for marine vessels. Transportation fuel sources also include electricity. Conventional gasoline and diesel vehicles consume gasoline or diesel fuel, whereas EVs consume electricity that can be sourced by fossil fuels or renewables. EVs, including battery EVs and plug-in hybrid EVs, comprise a growing fraction of the passenger vehicles on the roads in California, and EV adoption is expected to increase over the upcoming decades due in part to improvements in battery technology and public initiatives and goals.

Other transportation fuel sources are alternative fuels, such as methanol and denatured ethanol (that is, alcohol mixtures that contain no less than 70% alcohol), natural gas (compressed or liquefied), liquefied petroleum gas, hydrogen, and fuels derived from biomass. Gasoline and diesel fuel are the largest transportation fuels used by volume in San Diego County. The total estimated 2022 retail gasoline sales in California were 11,495 million gallons (CEC 2024). Of this total, 1,146 million gallons were San Diego County retail gasoline sales. The total estimated 2022 retail diesel fuel sales in California were 1,846 million gallons. Of this total, San Diego County had 115 million gallons (CEC 2024). California is the second-largest consumer of motor gasoline and the second-largest total energy consumer among the 50 states. In 2022, California consumed 6,882 trillion British thermal units (TBtu) (EIA 2025).

3.4.2 Regulatory Setting

This section discusses federal and state laws and regulations pertaining to energy and relevant to the proposed project.

3.4.2.1 Federal

Energy Policy Act of 2005

The Energy Policy Act of 2005 seeks to reduce reliance on nonrenewable energy resources and provide incentives to reduce current demand on these resources (EPA 2007). For example,

under the Energy Policy Act, consumers and businesses can attain federal tax credits for purchasing fuel-efficient appliances and products. Because driving fuel-efficient vehicles and installing energy-efficient appliances can provide many benefits, such as lower energy bills, increased indoor comfort, and reduced air pollution, businesses are eligible for tax credits for buying hybrid vehicles, building energy-efficient buildings, and improving the energy efficiency of commercial buildings. Additionally, tax credits are given for the installation of qualified fuel cells, stationary microturbine power plants, and solar power equipment.

American Recovery and Reinvestment Act of 2009

The American Recovery and Reinvestment Act of 2009 was passed in response to the economic crisis of the late 2000s, with the primary purpose of maintaining existing jobs and creating new jobs. Among the secondary objectives of the American Recovery and Reinvestment Act was investment in green energy programs, including funding private companies developing renewable energy technologies; local and state governments implementing energy efficiency and clean energy programs; research in renewable energy, biofuels, and carbon capture; and development of high-efficiency vehicles or EVs through grants, loans, or other funding mechanisms.

3.4.2.2 State

California Public Resources Code Section 21100(b)

California PRC Section 21100(b) directs all state agencies, boards, and commissions to assess the environmental impacts of projects for which they are a lead agency under CEQA to determine whether a project would result in significant effects on the environment, including effects from the wasteful, inefficient, and unnecessary consumption of energy, and to identify mitigation measures to minimize any such effects.

2025 Integrated Energy Policy Report

The 2025 Integrated Energy Policy Report (IEPR) (CEC 2025) provides an assessment of major energy trends and issues for a variety of energy sectors, as well as policy recommendations to address these concerns as required by Senate Bill (SB) 1389. Prepared by the CEC, this report details the key energy issues and develops potential strategies to address these issues. The 2025 IEPR includes a discussion of several strategies to reduce climate change impacts and address challenges, including the COVID-19 pandemic, electricity outages, and statewide wildfires. Other IEPR topics include a discussion of zero-emission vehicle deployment; an analysis of plug-in EVs, fuel cells, and hydrogen fueling for medium- and heavy-duty applications; and a discussion of microgrids. CEC will use the assessments and forecasted energy demand within the 2025 IEPR to develop future energy policies. The CEC has continued to expand on efforts to decarbonize California's energy system and address topics such as energy reliability over the next 5 years, natural gas outlook, building decarbonization, and energy efficiency and demand.

Airborne Toxic Control Measures

On July 22, 2004, CARB initially adopted an ATCM to limit idling of diesel-fueled commercial motor vehicles (idling ATCM) and subsequently amended it on October 20, 2005, October 19,

2009, and December 12, 2013. This ATCM is set forth in CCR Title 13, Section 2485, and requires, among other things, that drivers of diesel-fueled commercial motor vehicles with gross vehicle weight ratings greater than 10,000 pounds, including buses and sleeper berth equipped trucks, not idle the vehicle's primary diesel engine longer than 5 minutes at any location. This anti-idling regulation helps to reduce fuel consumption by reducing engine usage. The ATCM also requires owners and motor carriers that own or dispatch these vehicles to ensure compliance with the ATCM requirements. The regulation consists of new engine and in-use truck requirements and emission performance requirements for technologies used as alternatives to idling the truck's main engine. Under the new engine requirements, 2008 and newer model year heavy-duty diesel engines need to be equipped with a non-programmable engine shutdown system that automatically shuts down the engine after 5 minutes of idling or optionally meet a stringent oxide of nitrogen idling emission standard.

In-Use Off-Road Diesel-Fueled Fleets Regulation

On May 16, 2008, CARB approved the In-Use Off-Road Diesel-Fueled Fleets Regulation (Off-Road Regulation), which was later amended on December 31, 2009, July 16, 2010, and December 14, 2011. The overall purpose of the Off-Road Regulation is to reduce emissions of NOx and PM from off-road diesel vehicles operating within California. The regulation applies to all self-propelled off-road diesel vehicles 25 horsepower or greater used in California and most two-engine vehicles. The Off-Road Regulation includes the following:

- Imposes limits on idling (that is, fleets must limit unnecessary idling to 5 minutes), requires a written idling policy, and requires a disclosure when selling vehicles.
- Requires all vehicles to be reported to CARB (using the Diesel Off-Road Online Reporting System) and labeled.
- Restricts the adding of older vehicles into fleets starting on January 1, 2014.
- Requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing Verified Diesel Emission Control Strategies (that is, exhaust retrofits).

The anti-idling component of this Off-Road Regulation helps to reduce fuel consumption by reducing engine usage.

Renewables Portfolio Standard

California adopted standards to increase the percentage of energy from renewable resources that retail sellers of electricity, including investor-owned utilities and community choice aggregators, must provide in their portfolio. The Renewables Portfolio Standard was established in 2002 under SB 1078, accelerated in 2006 under SB 107, and expanded in 2011 under SB 2. Recently, SB 350, SB 100, and SB 1020 added to renewables requirements. The most recent of these, SB 1020, revises state policy requiring eligible renewable resources and zero carbon resources to supply 90% of all retail sales of electricity to California end-use customers by December 31, 2035; 95% of all retail sales of electricity to California end-use customers by December 31, 2040; 100% of all retail sales of electricity to California end-use customers by December 31, 2045; and 100% of electricity procured to serve all state agencies by December 31, 2035. The standards are referred to as the Renewables Portfolio Standard.

Qualifying renewables under the standard include bioenergy such as biogas and biomass, small hydroelectric facilities (30 megawatts or less), wind, solar, and geothermal energy. The California Public Utilities Commission and the CEC jointly implement the Renewables Portfolio Standard program.

Energy Efficiency Standards for Residential and Nonresidential Buildings

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in CCR Title 24, Part 6, were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods for building features such as space conditioning, water heating, lighting, and whole envelope. The 2005, 2008, 2013 and 2019 updates to the efficiency standards included provisions such as cool roofs on commercial buildings, increased use of skylights, and higher efficiency lighting, heating, ventilation and air conditioning, high-performance attic and walls, and high-efficiency air filters. The 2019 updates to the efficiency standards included indoor and outdoor lighting making maximum use of LED technology for nonresidential buildings. The 2022 updates encourage efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards. Additionally, the 2022 standards introduced new requirements for low-rise multi-family buildings and includes the registration of new compliance documents. Overall, the 2022 amendments are expected to reduce electricity and fossil fuel natural gas usage when compared to continued compliance with the 2019 Energy Code requirements. Under the 2022 amendments, California buildings would consume approximately 198,600 GWh of electricity and 6.14 billion therms of fossil fuel natural gas in 2023 compared to approximately 199,500 GWh and 6.17 billion therms of electricity and fossil fuel natural gas, respectively, under the 2019 Energy Code. The current standards (2022 standards) became effective on January 1, 2023. Title 24, Part 6 is updated approximately every three years.

2022 California Green Building Standards Code

The 2022 California Green Building Standards Code, as specified in 24 CCR Part 11, commonly referred to as CALGreen Building Standards (CALGreen), establishes voluntary and mandatory standards to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. The provisions of this code apply to the planning, design, operation, construction, replacement, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout California. Examples of CALGreen provisions include reducing indoor water use, moisture sensing irrigation systems for landscaped areas, construction waste diversion goals, and energy system inspections. CalGreen is periodically amended; the 2019 standards became effective on January 1, 2020, and incorporate amendments to EV charging spaces, outdoor water use provisions, and clarifications. On September 30, 2022, the CEC approved the 2022 CalGreen standards, which

became effective on January 1, 2023. The 2022 CalGreen standards include mandatory provisions for commercial, residential, and public-school buildings; regulations for energy efficiency; water efficiency; and conservation.

3.4.2.3 Local

City of National City

The *City of National City Final Climate Action Plan* (2011a) addresses major sources of GHG emissions in National City and outlines long-term strategies to achieve GHG emissions reductions. This Plan focuses on emission reduction efforts implemented by increasing fleet fuel efficiency, reducing solid waste, and increasing energy efficiency and conservation in municipal buildings (energy, transportation, solid waste, and water and wastewater sectors). The Austal USA facility does not fall within these focused sectors.

Port of San Diego

In 2013, the Port adopted a Climate Action Plan to provide a long-term vision for sustainability by decreasing GHG emissions. The Climate Action Plan includes energy strategies in buildings and exterior spaces that save money on utility costs, reduce GHG emissions and provide other community benefits.

3.4.3 Thresholds of Significance

The proposed project would result in a significant impact on energy use if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
2. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

3.4.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Threshold 1: Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Impact Discussion

Construction

Heavy-duty construction equipment is required for installation of new access structures and fendering, FDD placement, and pile-driving activities for mooring dolphins and wharf construction. The majority of the equipment would likely be diesel-fueled. However, smaller

equipment, such as air compressors, may be gasoline powered. Energy consumption can be represented in terms of thermal value, known as Btu. Approximate gasoline and diesel consumption were converted to Btu using the heat content of each fuel (137,381 Btu per gallon of diesel and 120,214 Btu per gallon of gasoline) (EIA 2024). Based on the number and type of equipment that would be used during construction, and based on the estimated duration of construction activities, approximately 0.004 TBtu of energy would be consumed during construction of the proposed project. When compared to California's total energy consumption of 6,882 TBtu, the expended energy to construct the proposed project would represent an insignificant percentage of the statewide consumption. The energy consumed during construction of the proposed project would be temporary and would end once construction is completed. Construction equipment would be reviewed and maintained daily or in accordance with their service manual to minimize inefficient use of the equipment. Additionally, construction equipment would be subject to CCR Title 13, Section 2485, that limits idling of diesel engines to no longer than 5 minutes at any location. Therefore, construction of the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during construction. Impacts from construction of the proposed project would be less than significant.

Operation

Project operation would primarily require energy for the operations and maintenance of the FDD. The FDD would be serviced by SDG&E and would not require new or expanded power service. The Austal USA facility would have two electric vehicle chargers and a 480-kV solar panel array on top of the operations building. The solar system would provide shore power to the FDD and pier-side vessels. The FDD is a new structure that has been built to Navy standards and would be energy efficient during operations. The Austal USA facility location adjacent to NBSD would minimize vessel travel distance from the NBSD thus limiting fuel use associated with vessel travel distances. Operation of the project would require diesel fuel to operate generators and haul trucks; gasoline would be needed for worker commutes; maritime vessels would require heavy fuel oil for operations; and approximately 1,338 Megawatt-hour (MWh) of electricity that would be purchased to operate the FDD. Energy consumed by the operation of the proposed project would be approximately 0.005 TBtu per year. The expended energy to operate the proposed project would represent an insignificant percentage of the statewide consumption. The proposed project would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project operations. Therefore, impacts are anticipated to be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact Discussion

Construction

The proposed project would not conflict with or obstruct any state or local plan for renewable energy or energy efficiency. Increasing energy production is likely to increase emissions of certain air pollutants and GHGs that contribute to climate change. The largest source of GHG emissions from human activities in the United States is from burning fossil fuels for electricity, heat, and transportation. The proposed project would be subject to the Port's Climate Action Plan, which includes strategies to reduce GHG emissions through energy efficiency. The proposed project would not interfere with SDG&E's commitment to sustainability and their goal of achieving net-zero GHG emissions by 2045 and would not result in a wasteful or inefficient expenditure of SDG&E resources (SDG&E 2021). Therefore, impacts during construction are anticipated to be less than significant.

Operation

Energy demand during proposed project operations would be minimized through compliance with California's Green Building Standards Code, known as CALGreen (codified in 24 CCR Part 11); compliance with Title 24's Building Energy Efficiency Standards would also ensure that FDD operation would be consistent with state and local energy plans and policies to reduce energy (California Department of General Services 2019).

The project would not conflict with or obstruct any state or local plan for renewable energy or energy efficiency. The proposed project would be subject to the Port's Climate Action Plan, which includes strategies to reduce GHG emissions through energy efficiency. The proposed project would not interfere with SDG&E's commitment to sustainability and their goal of achieving net-zero GHG emissions by 2045 and would not result in a wasteful or inefficient expenditure of SDG&E resources (SDG&E 2021). Therefore, impacts during operations are anticipated to be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

3.5 Geology/Soils

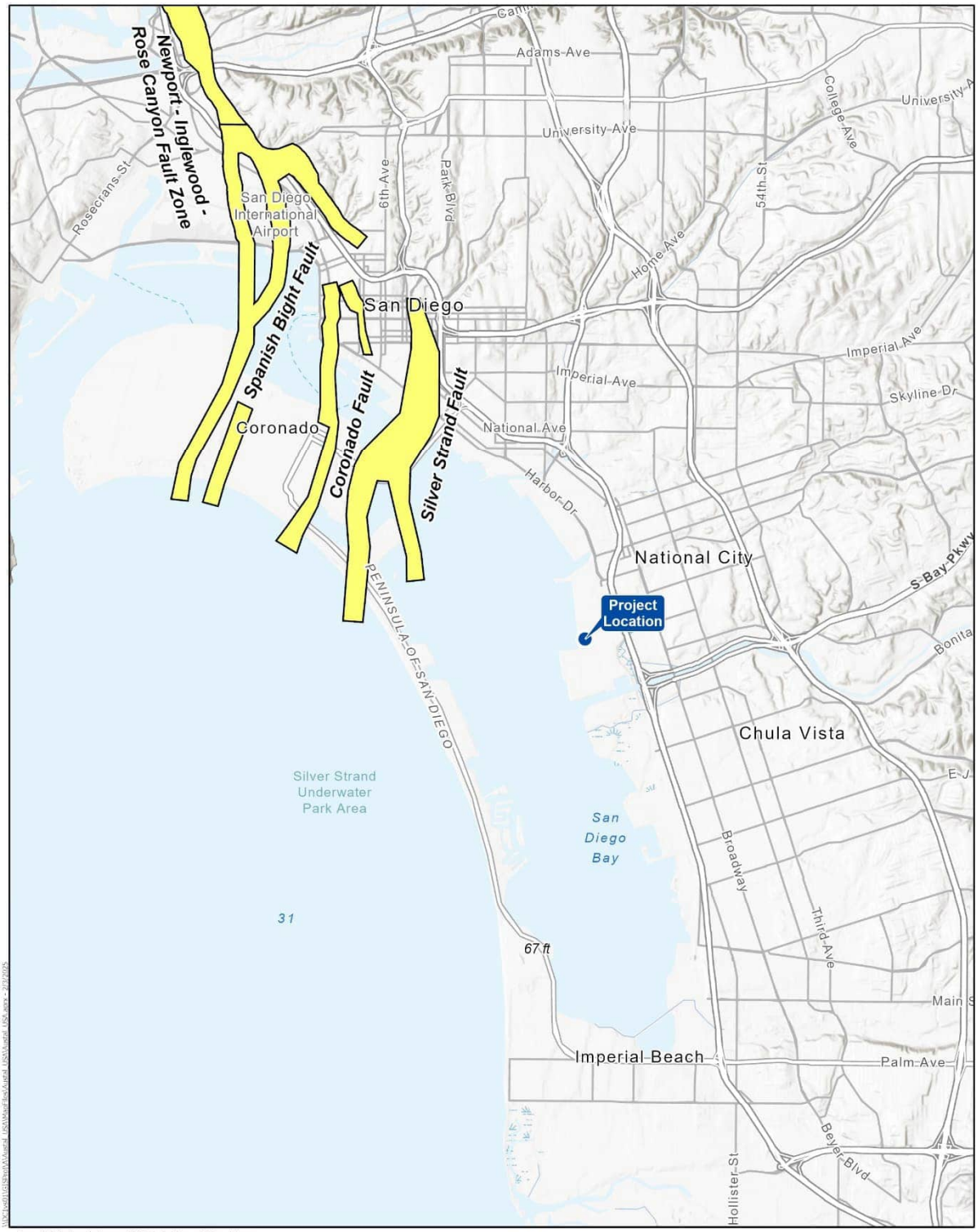
3.5.1 Environmental Setting

3.5.1.1 Regional Geology

The Peninsular Ranges of Southern California form a northwest-trending geomorphic province that occupies the southwestern corner of California and extends southeastward to form the Baja California peninsula. Its physiography is characterized principally by steep mountain highlands with elevations exceeding 3,500 meters and dramatic intermontane basins, valleys, and rivers. The highlands are flanked on the west by a relatively narrow, westward-sloping coastal margin that includes the San Diego embayment. On the east the highlands are bounded from the adjoining Colorado Desert and the Gulf of California by precipitous fault scarps ranging from 2,000 to more than 3,000 meters high.

The San Diego area is tectonically and seismically active and includes parts of four major northwest-trending, oblique, right-lateral, strike-slip, Pacific/North American Plate boundary fault zones. These include the Rose Canyon-Newport-Inglewood Fault Zone along the eastern coastal margin (Silver Stand Fault, Coronado Fault, and Spanish Bight Fault), the Palos Verdes-Coronado Bank Fault Zone (offshore on the inner shelf), the San Diego Trough Fault Zone (in the central offshore region), and the San Clemente Fault Zone (on the outer offshore margin). Figure 3.5-1 shows active faults with mapped Alquist-Priolo Fault Zones closest to the project site.

Figure 3.5-1. Active Fault Zones



Source: Seismic Hazards Program - CA Geological Survey, ESRI, and Maxar

0 1 2 Miles

0 1 2 Kilometers

Scale: 1:100,000

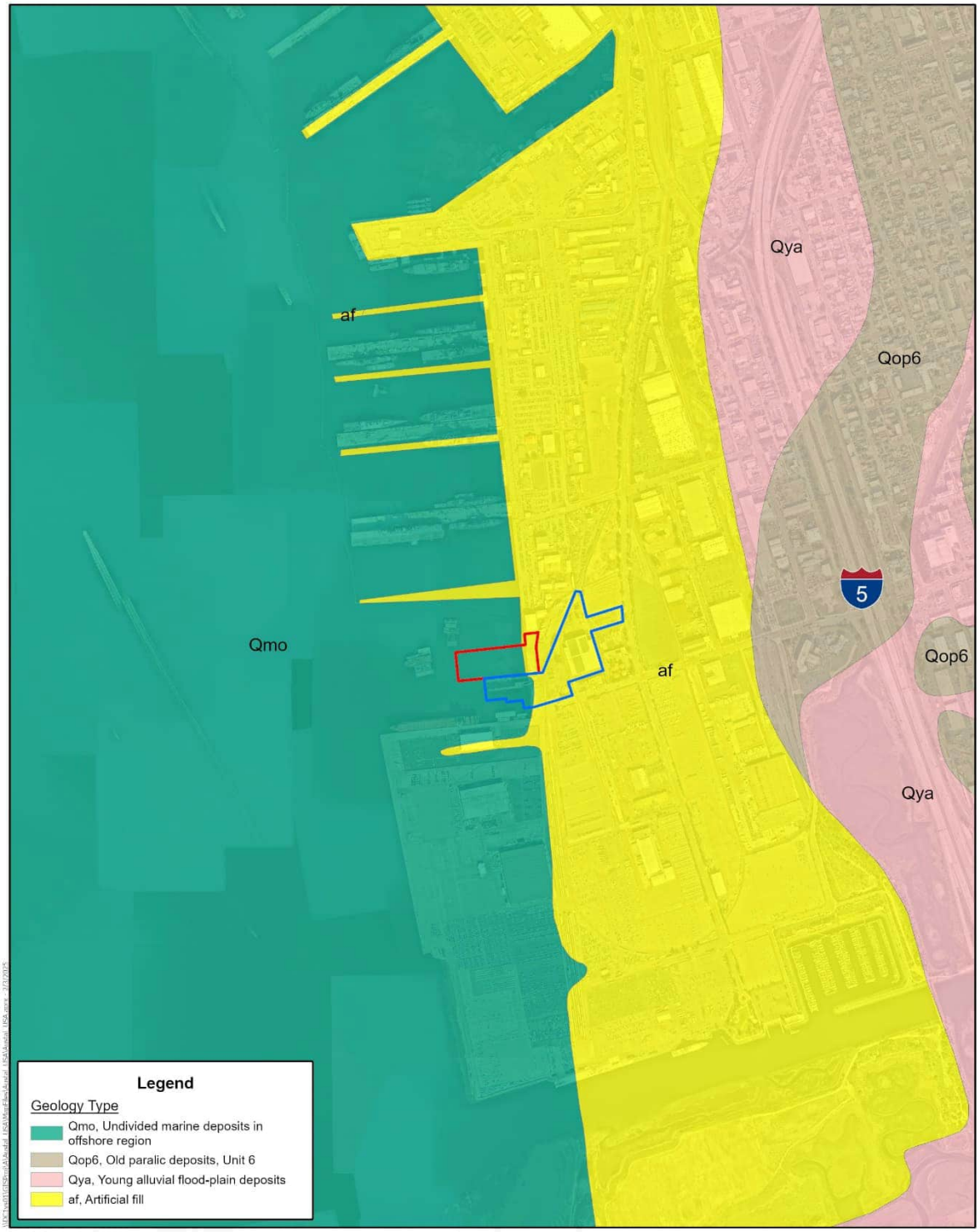
Project Location

Alquist-Priolo Fault Zone

Figure 3.5-1
Active Fault Zones
Austal USA
San Diego Shipyard
National City, California

San Diego Bay is the surface expression of a north–south-trending, nested graben. The graben is bounded on its east side by the strands of the predominantly dip-slip, down-to-the-west, La Nacion fault zone (onshore fault to the east) and on its west side by strands of the down-to-the-east Point Loma Fault Zone. Oblique slip strands of the Rose Canyon fault zone run up its center. The deepest part of this graben lies at the south end of the Bay where metamorphic/granitic basement was encountered at 6,000 feet in a wildcat oil well. These faults are probably all less than about 1 million years old and are a part of the San Andreas Fault System that extends west some 200 kilometers (km) from the San Andreas fault zone into the continental borderland (Figure 3.5-2). Detailed gravity measurements (California Division of Mines and Geology 1975) suggest that the graben is filled with about 4,000 feet of sedimentary rocks beneath downtown San Diego (Figure 3.5-2). Given its north-northwest trend, this 12-mile-wide by 20-mile-long zone of crustal extension is probably due to transtension in the Rose Canyon fault zone.

Figure 3.5-2. Project Site Geology



Source: U.S.G.S., ESRI, and Maxar

0 400 800 Feet

0 200 400 Meters

Scale: 1:14,000

Geologic Geologic map of the San Diego 30' x 60' quadrangle, California
Author(s): Kennedy, M.P., and Tan, S.S.
Publishing Organization: California Geological Survey
Series and Number: Regional Geologic Map RGM-3
Publication Date: 2008

Navy Lease Area (5.04 acres)

Port Lease Area (11.01 acres)

Figure 3.5-2
Project Site Geology
Austal USA
San Diego Shipyard
National City, California

3.5.1.2 Project Site Geology

The local surface geology of the project area is shown on Figure 3.5-2. The landside area mainly consists of artificial fill that was placed adjacent to the bayshore. The fill was most likely derived by a combination of dredging of the harbor floor and locally derived fill soils. The thickness of the fill is estimated to be very thin at its eastern edge. The thickness toward the Bay end likely reaches approximately 8 to 12 feet. The fill is underlain with young Holocene-age unconsolidated Bay sediments that are generally known to extend to an elevation of approximately -30 feet MLLW. As subsidence occurred in the Bay, sediment was flushed out of the uplands and was slowly deposited over older Pleistocene-age sediments, leaving the terrace deposits (including both the older and younger quaternary deposits) that mantle the coastal terraces around San Diego Bay (California Division of Mines and Geology 1975).

The proposed project site is located in an area of Quaternary-age terrace deposits. These nearshore marine and non-marine deposits are generally composed of interbedded fine- to medium-grained, poorly to moderately consolidated silts, sands, and conglomerate. The sands vary from well to poorly sorted. The Quaternary-age deposits were deposited on wave cut platforms (terraces) eroded into the Pliocene-age San Diego Formation (California Division of Mines and Geology 1975).

The proposed FDD location has been dredged to -38 feet MLLW. Areas adjacent to the dredged area range in depth from approximately -10 to -20 feet MLLW.

The following soil and sediment conditions were encountered during exploratory borings completed as part of the Geotechnical Investigation:

- Recent Bay Deposits: Recent Bay Deposits are material that have settled out from the Bay after major dredging of the site had occurred. As such, these deposits are comprised of very loose silts and sands, and very soft clays. The deposits are relatively thin, only a few feet thick (TerraCosta 2020).
- Bay Deposits: Bay Deposits underlie Recent Bay Deposits and extend to an approximate elevation of -30 feet. These soils are interbedded gravels, sands, silty and clayey sands (transitional soils), and silts and clays (fine-grained soils). The thickness of these deposits varies from a few feet to many feet (TerraCosta 2020).
- Bay Point Formation (Younger Terrace Deposits): Younger Terrace Deposits were encountered at approximately elevation -30 feet. This contact could vary a few feet across the site. Soils were encountered throughout project site below -30 feet in elevation. These deposits consist of interbedded gravels, sands, silty and clayey sands (transitional soils), and silts and clays. Stratigraphically, the soils vary across the site. Pockets of gravel may also be present within the deposit (TerraCosta 2020).

Past dredging has removed the Recent Bay Deposits from the proposed project location and exposed deeper Bay Deposits and Bay Point Formation. Recent Bay Deposits remain in the areas adjacent to the dredged area.

3.5.2 Site-Specific Geologic Hazards

The geologic hazards in the project area are summarized in the following sections.

3.5.2.1 Faulting and Seismicity

The project site is within a seismically active region. According to the California Geologic Survey (CGS) California Earthquake Hazards Zone Application map, the project site is not within an active fault zone defined as having activity within the last 11,700 years (Holocene). The nearest active fault zone is the Point Loma Fault Zone, located approximately 2.26 miles northwest of the project site (CGS 2024a). However, this fault is not included in an Alquist-Priolo Fault Zone. Therefore, the risk associated with ground rupture is considered low. The risk associated with ground shaking at the project site is very high (CGS 2024b).

3.5.2.2 Subsidence

Ground subsidence results from fluid (water or petroleum) extraction from underlying formations, which causes the collapse of pore spaces previously occupied by the removed fluid. The collapse of these pore spaces compacts these underlying formations, leading to a gradual drop in ground surface elevation. Ground subsidence is most often found in areas where large volumetric withdrawals of fluids from underground reservoirs have occurred or are ongoing. Ground shaking from tectonic activity can exacerbate the vertical sinking of land in an area over the withdrawal site. Underlying geologic formations within San Diego County have a low potential of subsidence, and there are no historical records of subsidence events in San Diego County (San Diego County OES 2018).

3.5.2.3 Liquefaction

Seismically induced soil liquefaction can be described as a significant loss of soil strength due to seismic shaking or other large cyclic loading. Liquefaction is known generally to occur in saturated or near-saturated cohesionless soils (typically sandy soils) at depths shallower than 50 feet below grade. Factors known to influence liquefaction potential include composition and thickness of soil layers, grain size, relative density, groundwater level, degree of saturation, and both intensity and duration of ground shaking. Adverse impacts associated with liquefaction include lateral spreading, ground rupture and/or sand boils, and settlement of the liquefiable layers.

Based on the project's *Geotechnical Findings Report, Floating Dock, Marine Group Boat Works, National City, California* (Geotechnical Investigation) (TerraCosta 2020), the project site does not have a significant liquefaction potential.

3.5.2.4 Lateral Spreading and Seismic Slop Instability

Lateral spread of the ground surface during an earthquake usually takes place along weak shear zones that have formed within a liquefiable soil layer. Lateral spread has generally been observed to take place in the direction of a free-face (such as a slope or channel) but has also been observed to a lesser extent on ground surfaces with very gentle slopes.

Sediment consisting of Recent Bay Deposits and Bay Deposits may be subject to lateral spreading. Slopes that have been dredged in sediment could experience lateral spreading from seismic shaking. The project's *Geotechnical Findings Report, Floating Dock, Marine Group Boat Works, National City, California* (geotechnical report) indicated lateral spreading was not a significant hazard for the site (TerraCosta 2020).

3.5.2.5 Landslides

According to the *National City General Plan*, the project site is not within a landslide hazard area (National City 2011b). Areas adjacent to the proposed project are flat and have not experienced prior landslides or slope instability. The proposed project would incorporate design considerations to comply with all applicable provisions of the Unified Facilities Criteria and California Building Standards Code (CBC) and would incorporate applicable BMPs to address any potential geological hazards. The geotechnical report indicated that landslides are not considered a significant risk and there is no potential for project construction and operation to result in or be adversely affected by landslides.

3.5.2.6 Tsunami Hazard

A tsunami is a catastrophic ocean wave, usually caused by a submarine earthquake, an underwater or coastal landslide, or a volcanic eruption. The term tidal wave is frequently used for such a wave, but it is a misnomer, for the wave has no connection with the tides.

The CGS Information Warehouse, Tsunami Hazard Map shows the entire San Diego Bay is within a tsunami hazard zone, including the project site (CGS 2024c) (Figure 3.5-3).

Figure 3.5-3. Tsunami Hazard Map

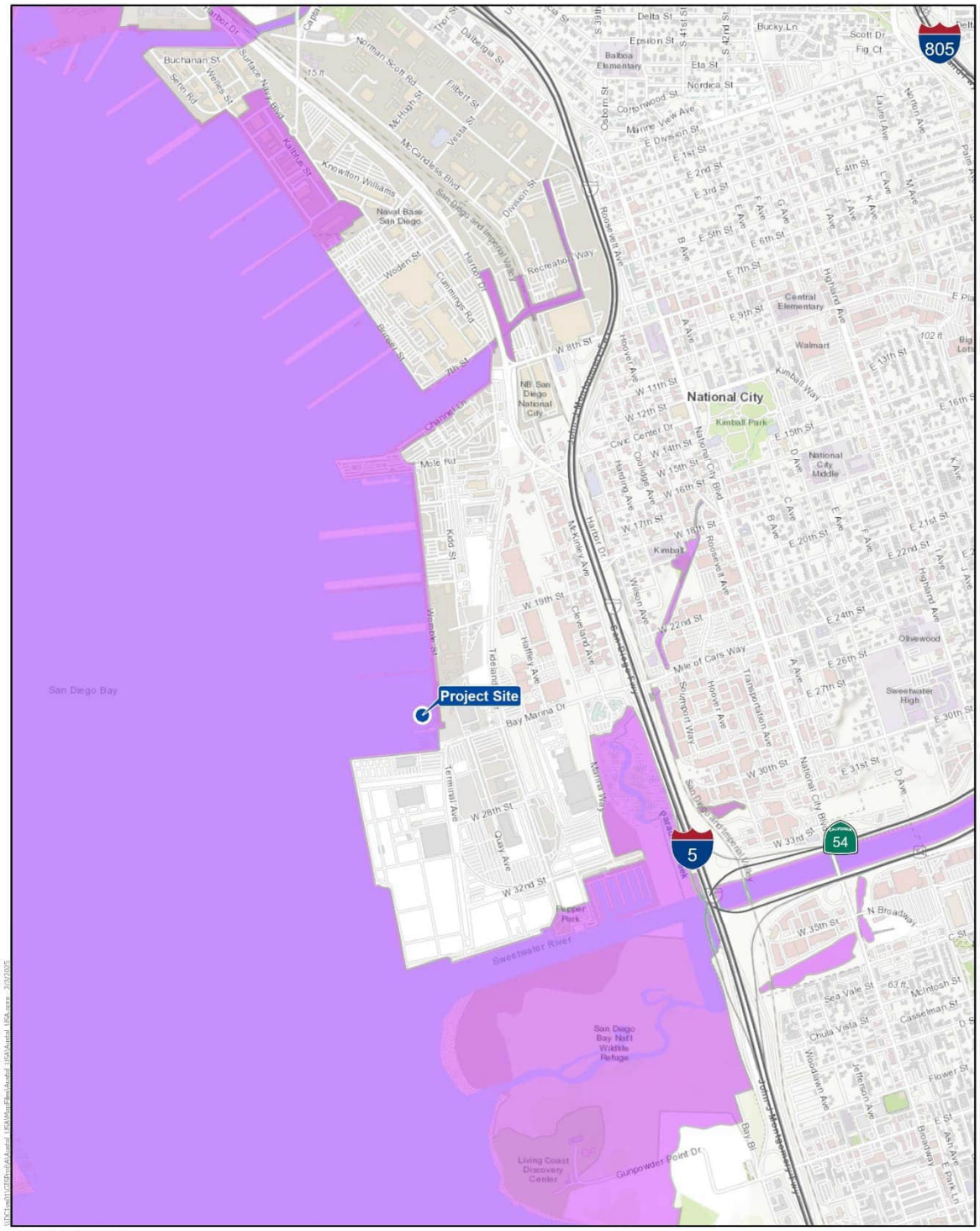


Figure 3.5-3
Tsunami Hazard Map
Austal USA
San Diego Shipyard
National City, California

3.5.3 Regulatory Setting

3.5.3.1 Federal

National Earthquake Hazards Reduction Program

The National Earthquake Hazards Reduction Program (NEHRP) was established by the US Congress when it passed the *Earthquake Hazards Reduction Act of 1977* (Public Law 95–124). In establishing the NEHRP, Congress recognized that earthquake-related losses could be reduced through improved design and construction methods and practices, land use controls and redevelopment, prediction techniques and early warning systems, coordinated emergency preparedness plans, and public education and involvement programs. The program's four basic goals remain unchanged:

- Develop effective practices and policies for earthquake loss reduction and accelerate their implementation.
- Improve techniques for reducing earthquake vulnerabilities of facilities and systems.
- Improve earthquake hazards identification and risk assessment methods, and their use.
- Improve the understanding of earthquakes and their effects.

Several key federal agencies contribute to earthquake mitigation efforts. There are four primary NEHRP agencies:

- National Institute of Standards and Technology of the Department of Commerce
- National Science Foundation
- USGS of the Department of the Interior
- Federal Emergency Management Agency (FEMA) of the Department of Homeland Security

Implementation of NEHRP priorities is accomplished primarily through original research, publications, and recommendations to assist and guide state, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

3.5.3.2 State

Alquist-Priolo Earthquake Fault Zoning Act

The *Alquist-Priolo Earthquake Fault Zoning Act* (PRC Section 2621 to 2630) was passed in 1972 to provide a statewide mechanism for reducing the hazard of surface fault rupture to structures used for human occupancy. The main purpose of the act is to prevent the siting of buildings used for human occupancy across the traces of active faults. It should be noted that the act addresses the potential hazard of surface fault rupture and is not directed toward other earthquake hazards, such as seismically induced ground shaking or landslides.

The law requires the State Geologist to identify regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults, and to depict these zones on topographic base maps, typically at a scale of 1 inch to 2,000 feet. Earthquake Fault Zones vary in width, although they are often 0.75-mile wide. Once published, the maps are distributed to the affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. With the exception of single-family wood-frame and steel-frame dwellings that

are not part of a larger development (that is, four units or more), local agencies are required to regulate development within the mapped zones. In general, construction within 50 feet of an active fault zone is prohibited.

Seismic Hazards Mapping Act

The *Seismic Hazards Mapping Act* (PRC Sections 2690–2699.6), which was passed in 1990, addresses earthquake hazards other than surface fault rupture. These hazards include strong ground shaking, earthquake-induced landslides, liquefaction, or other ground failures. Much like the *Alquist-Priolo Earthquake Fault Zoning Act* discussed above, these seismic hazard zones are mapped by the State Geologist to assist local government in the land use planning process. The act states, "It is necessary to identify and map seismic hazard zones in order for cities and counties to adequately prepare the safety element of their general plans and to encourage land use management policies and regulations to reduce and mitigate those hazards to protect public health and safety." The act also states, "Cities and counties shall require, prior to the approval of a project located in a seismic hazard zone, a geotechnical report defining and delineating any seismic hazard."

California Building Code

California provides minimum standards for building design through the CBC (CCR Title 24). The CBC applies to building design and construction in the state and is based on the federal International Building Code used widely throughout the country (generally adopted on a state-by-state or district-by-district basis). The CBC has been modified for California conditions with more detailed and/or more stringent regulations. Specific minimum seismic safety and structural design requirements are set forth in CBC Chapter 16, *Structural Design*, and the CBC identifies seismic factors that must be considered in structural design.

California's earthquake protection law (California *Health and Safety Code Section* 19100 et seq.) requires that structures are designed to resist stresses produced by lateral forces caused by wind and earthquakes.

3.5.3.3 Local

National City Municipal Code Municipal Code

National City has adopted the CBCs, as prescribed in Section 15.08, *California Building Code* of the *National City Municipal Code:*

> "The City Council adopts, for the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, use, height, area, fire resistance and maintenance of all buildings and/or structures, Volumes I and II of the 2022 California Building Code,"
>
> and
>
> "The City Council does specifically and expressly find and declare that the nature and uniqueness of the dry Southern California climate, and the geographical and topographical conditions in the City of National City, including the age and

concentration of structures, and differences in elevation throughout the City, do reasonably necessitate and demand changes in and variations from the 2022 CBC."

Section 15.70, *Grading* of the *National City Municipal Code* is also adopted from the CBC, and includes regulations for grading and other earthwork activities. It also contains provisions to ensure that soil erosion, sedimentation, and stormwater runoff are regulated to reduce, to the maximum extent practicable, pollutants entering the storm water conveyance system and waters of the state to protect water quality.

3.5.4 Thresholds of Significance

The proposed project would result in a significant impact on geology and soils if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?
2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?
3. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Based on the *Initial Study* prepared for the proposed project (Appendix A), it was determined that there is no potential for impacts related to earthquake faults, landslides, soil erosion, expansive soils, use of septic tanks, and paleontological resources. The findings of the *Initial Study* for these topics explaining why there is no potential for impacts are summarized below.

The proposed project would not be located within a designated Alquist-Priolo Earthquake Fault Hazard Zone and no known active faults are mapped crossing the site. Therefore, the project would not cause or exacerbate the risk of the rupture of a known earthquake fault or expose people or structures to adverse effects from a known fault-rupture hazard. No further analysis of whether the proposed project would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault is warranted within this EIR.

The proposed project is not located within a landslide hazard area and areas adjacent to the proposed project are flat with no history of prior landslides or slope instability. Based on the *Initial Study* (Appendix A), it was determined there is no potential for construction or operation of the proposed project to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides; therefore, no further analysis is warranted in this EIR.

Proposed project construction and operation would not include soil-disturbing activities that could result in substantial soil erosion or loss of topsoil. Therefore, no further analysis of whether the proposed project would result in substantial erosion or the loss of topsoil is warranted in this EIR.

The proposed project would be constructed within the San Diego Bay and would not be located on expansive soil as defined in Table 18-1-B of the *Uniform Building Code* (1994). Therefore, no further analysis of whether the proposed project would create substantial direct or indirect risks to life or property due to location on expansive soil is warranted in this EIR.

Based on the *Initial Study* (Appendix A), it was determined that because the proposed project would not require use of septic systems. No further analysis of whether the proposed project would have soils incapable of adequately supporting the use of septic tanks where sewers are not available for the disposal of wastewater is warranted in this EIR.

The proposed project site consists of waters of the San Diego Bay and the adjacent land, composed of artificial engineered fill overlying marine deposits. Based on the *Initial Study* (Appendix A), it was determined that no known paleontological resources would be impacted by construction or operation of the proposed project, and no further analysis of whether the proposed project would directly or indirectly destroy a unique paleontological resources or site or geologic feature is warranted in this EIR.

3.5.5 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in the preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Threshold 1: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Impact Discussion

Construction/Operations

The project site could be subject to strong seismic ground shaking due to activity on nearby and regional faults, such as the Newport-Inglewood-Rose Canyon Silver Stand Fault, Coronado Fault, and Spanish Bight Fault. The potential to experience substantial seismic ground shaking is a common hazard for every project in Southern California, and the hazard cannot be avoided. Project construction and operations would not entail activities that would increase the risk of loss, injury, or death due to seismic shaking. Impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 2: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Impact Discussion

Construction/Operations

The project would be constructed within the San Diego Bay sediments within the Bay, which do have the potential to experience lateral spreading and/or liquefaction. Project design would include all necessary stabilizing components for in-water structures, including installation of piles and mooring structures. The FDD would be secured to piers that have been driven into formation material that is not subject to lateral spreading and/or liquefaction processes. The project would be engineered to specifications based on site-specific geotechnical conditions. The site-specific geotechnical report indicated that landslides, lateral spreading, and ground rupture are not significant hazards. No significant impacts related to landslide, lateral spreading, subsidence, liquefaction, or collapse are anticipated during construction and operation of the proposed project.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 3: Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Impact Discussion

Construction/Operations

The proposed project area is predominantly flat. The FDD would be located and operated in waters of San Diego Bay. The site is not located near a City- or state-identified landslide, or fault-rupture hazard areas. The project site is located within a low-risk liquefaction (including lateral spreading) area (National City 2011b). The project's site-specific Geotechnical Investigation evaluated effects of potential landslides, lateral spreading, subsidence, or liquefaction and determined they do not represent significant hazards for construction and operation of the project. The collapse potential for the site is also anticipated to be low due to the very dense formational materials anticipated to underlie the structural footings (pilings). Therefore, the project would not be subject to potential on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse; during construction or operation of the proposed project and impacts are less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

3.6 Greenhouse Gas Emissions

3.6.1 Environmental Setting

GHGs include both naturally occurring and artificial or anthropogenic gases, such as carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (SF_6). The accumulation of GHGs in the atmosphere influences the long-term range of average atmospheric temperatures. These gases absorb energy from the sun and help maintain the temperature of Earth's surface, creating a process known as the greenhouse effect. Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near Earth's surface, attributed to accumulation of GHG emissions in the atmosphere.

GHG emissions and their potential impacts are commonly reported in units of carbon dioxide equivalents (CO_2e). A CO_2e represents the amount of global warming caused by a single molecule of CO_2. Some GHGs are more potent than others in global warming potential and therefore are converted to the equivalent amount of CO_2 that would result in the same amount of global warming potential.

The largest anthropogenic source of GHGs is the combustion of fossil fuels, which results primarily in CO_2 emissions. In the United States, the main source of GHG emissions is transportation, followed by electricity production (EPA 2024b). In California, total emissions from GHG-emitting activities in 2022 were 371.1 million metric tons of carbon dioxide equivalent ($MMTCO_2e$) (CARB 2025a). The transportation sector accounts for about 39% of the statewide GHG emissions inventory. Industrial and the electric power sectors account for 23% and 16%[3], respectively, of the total statewide GHG emissions inventory (CARB 2025a).

The total GHG emissions estimate for San Diego County in 2016 was 26 $MMTCO_2e$. The on-road transportation sector accounts for 12.2 $MMTCO_2e$ (approximately 48%), followed by electricity generation (5.3 $MMTCO_2e$ or approximately 21%), natural gas usage (3.1 MMTCO2e or approximately 12%), industrial (2.1 $MMCO_2e$ or approximately 8%), off-road transportation (0.62 $MMTCO_2e$ or approximately 2%), solid waste (0.59 MMTCO2e or approximately 2%), water, and aviation (SANDAG 2024d).

3.6.2 Regulatory Setting

3.6.2.1 Federal

Climate change and its associated effects are being addressed through various efforts at the federal level to improve fuel economy and energy efficiency. The Supreme Court decision in *Massachusetts et al. v. Environmental Protection Agency et al*. (2007) found that EPA has the authority to list GHGs as pollutants and to regulate emissions of GHGs under the federal CAA. On April 17, 2009, EPA found that CO_2, CH_4, N_2O, hydrofluorocarbons, perfluorocarbons, and SF_6 may contribute to air pollution and may endanger public health and welfare. Based on the endangerment finding, EPA and the National Highway Traffic Safety Administration issued a

[3] 11% instate electricity plus 5% imports.

series of GHG emission standards for new vehicles (EPA 2023). EPA also established reporting regulations that require specific facilities and industries to report their GHG emissions annually.

3.6.2.2 State

Executive Order S-3-05, issued in 2005, established GHG reduction targets for California. The targets called for a reduction of GHG emissions to 2000 levels by 2010, a reduction of GHG emissions to 1990 levels by 2020, and a reduction of GHG emissions to 80% below 1990 levels by 2050. Subsequently, California has approved several laws, executive orders, and plans that address GHG emissions and climate change, as follows:

- In 2006, the California State Legislature signed the *Global Warming Solutions Act of 2006* (Assembly Bill [AB] 32), which provides the framework for regulating GHG emissions in California. This law requires CARB to design and implement emission limits, regulations, and other measures such that statewide GHG emissions are reduced in a technologically feasible and cost-effective manner to 1990 levels by 2020.
- Executive Order B-30-15 was signed in 2015, which added the intermediate target of reducing GHG emissions to 40% below 1990 levels by 2030.
- Executive Order B-55-18, issued in 2018, established a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and to achieve and maintain net-negative emissions thereafter.
- In 2016, SB 32 and AB 197 codified the 2030 GHG emissions reduction target of 40% below 1990 levels and provided additional direction for updating the *2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan) (CARB 2022a).
- AB 1279, the *California Climate Crisis Act*, was signed into law in 2022, and requires California to achieve net-zero GHG emissions as soon as possible, but no later than 2045, and to achieve and maintain net-negative GHG emissions thereafter. It also requires the state to reduce statewide GHG emission by 85% compared to 1990 levels by 2045 and directs CARB to work with relevant state agencies to achieve these goals.
- Part of CARB's direction under AB 32 was to develop a scoping plan for the main strategies California will use to reduce GHG emissions that cause climate change. The scoping plan includes a range of GHG reduction actions, which include direct regulations, alternative compliance mechanisms, monetary and nonmonetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 cost of implementation fee regulation to fund the program. CARB first approved the AB 32 Scoping Plan in 2008, and its latest adopted plan is the 2022 Scoping Plan (CARB 2022a). The 2022 Scoping Plan identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40% below 1990 emissions by 2030, and a technologically feasible, cost-effective path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85% below 1990 levels no later than 2045.

California Air Pollution Control Officers Association

In 2008, the California Air Pollution Control Officers Association (CAPCOA) presented a 900-MT-CO_2e-per-year threshold in a white paper titled *CEQA and Climate Change* (CAPCOA 2008). This

threshold was developed based on various land use densities and discretionary project types that were analyzed to determine the size of projects that would likely have a less than cumulatively considerable contribution to climate change. Projects that would meet or fall below the CAPCOA 900-MT-CO_2e-per-year threshold are expected to result in GHG emissions that would not result in a cumulatively considerable impact. When compared to similar mass emissions thresholds adopted by other regional air districts in California, the CAPCOA 900-MT-CO_2e-per-year threshold is relatively conservative.

3.6.2.3 Local

San Diego County Air Pollution Control District

SDAPCD has not established quantitative significance thresholds for evaluating GHG emissions. However, the City of San Diego established a Bright Line Threshold of 2,500 MT to determine the significance of a project's annual GHG emissions (City of San Diego 2013).[4]

San Diego County

San Diego County published their *Climate Action Plan* (CAP) in September 2025 (San Diego County 2024), which aims to achieve net-zero GHG emissions by 2045. The CAP focuses on reducing GHG emissions across all sectors including transportation, energy, waste, water, and agriculture. While doing this, the CAP also works to advance and improve environmental and social justice in disadvantaged communities, promotes sustainable development, and discusses plans to monitor progress of the reductions every 5 years to ensure that the targets outlined are met.

City of National City

As discussed in Section 3.4.2.3, the City of National City developed their *City of National City Final Climate Action Plan* (2011a) that addresses major sources of GHG emissions in National City and outlines long-term strategies to achieve GHG emissions reductions. This plan focuses on emission reduction efforts implemented by increasing fleet fuel efficiency, reducing solid waste, and increasing energy efficiency and conservation in municipal buildings in the energy, transportation, solid waste, and water and wastewater sectors. The Austal USA facility does not fall within these focused sectors.

Port of San Diego

The Port's *Climate Action Plan* (2013) contains potential GHG reduction policies and measures selected to help meet the Board's GHG reduction goals of generating 10% less GHG emissions than 2006 levels by 2020 and 25% fewer emissions than 2006 levels by 2035.

3.6.3 Thresholds of Significance

The proposed project would result in a significant impact on GHG emissions if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

[4] As a point of comparison, in June 2020, SMAQMD published updated CEQA significance thresholds and posited that construction activities that generate less than 1,100 MTCO2e per year would not result in a significant cumulative impact (SMAQMD 2020).

1. Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
2. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?

In support of the above criteria, the most conservative published significance threshold, the CAPCOA threshold of 900 $MTCO_2e$ per year, was used to quantitatively assess the potential impacts of this project's GHG emissions. The threshold is a screening levels used to determine if a project would require further analysis and mitigation. CAPCOA reports that projects emitting below this threshold are presumed not to interfere with the state's ability to achieve its AB 32 reduction targets, and estimates that the 900 $MTCO_2e$ screening level would capture more than 90% of development project.

3.6.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in the preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Threshold 1: Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Impact Discussion

Construction

Construction activities for the proposed project would involve activities to support installation of new access structures and fendering, FDD placement, and pile-driving activities for mooring dolphins and wharf construction. Combustion of fossil fuels in equipment and vehicles used during construction would result in GHG emissions. No GHGs would result from construction-related welding operations; therefore, this activity is not included in the GHG summary table below. Construction emissions estimated in the Navy's Final EA for access structures, mooring dolphins, and fender pile construction for installation of an FDD at the Austal USA facility have been used to support this analysis (NAVFAC 2020b). In addition to these estimates, emissions were calculated for worker commutes expected during the construction duration. Estimated emissions for remaining construction activities, shown in Table 3.6-1, would be less than 200 MT per year of CO_2e, which is less than the CAPCOA threshold of 900 MT of CO_2e per year, indicating GHG impacts from construction would be less than significant.

Table 3.6-1. Estimated Construction Emissions for Equipment and Worker Commutes

Estimated Net Emissions of Construction	Annual Emissions (MT/year)			
	CO_2	CH_4	N_2O	CO_2e
Construction Equipment	178.24	--	--	178.24
Construction Worker Commutes	6.38	< 0.001	< 0.001	6.42
Total Annual Emissions	184.62	< 0.001	< 0.001	184.66

Table 3.6-1. Estimated Construction Emissions for Equipment and Worker Commutes

CAPCOA Significance Threshold[a]	--	--	--	900
Annual Emissions Exceed CAPCOA Significance Threshold?	--	--	--	No

Source: NAVFAC SW 2020b

[a] CAPCOA 2008

--, N/A = Not available or not applicable

Operations

Project-related direct GHG emissions would result from maritime transit, stationary diesel emergency generator maintenance and testing, and on-road motor vehicle use, including worker commute and haul truck trips. No GHG emissions would result from other operation activities including welding, abrasive blasting, adhesive use, and marine coating and solvent application; therefore, these activities are not included in Table 3.6-2. Methodology to estimate emissions from each of these source categories is as follows:

- Maritime transit emissions calculations assumed 8 hours of operation per year for each of the two 1,000-horsepower (hp) tugboats[5] and used CO_2 emission factors from Appendix H of CARB's *Port Emissions Inventory Guidance* (CARB 2021). CH_4 and N_2O emission factors for tugboats were not included in the CARB guidance, so emission factors for CH_4 and N_2O were derived using a ratio methodology. For example, the CH_4 emission factor for tugboats (in units of grams per kilowatt-hour [g/kWh]) is estimated by taking the CARB CO_2 emission factor for tugboats times a ratio of the CH_4 emission factor compared to the CO_2 emission factor for petroleum distillates in 40 CFR Part 98 (0.028 g/kWh = 679.47 g/kWh x [0.003 kilograms per million British thermal unit [kg/MMBtu]/73.96 kg/MMBtu]).
- Emissions estimated for the FDD emergency generator operations used emission factors for diesel fuel from 40 CFR Part 98 and conservatively assumed a maximum of 100 hours per year of operation per engine. Emissions estimated for the facility-wide portable emergency internal combustion engines were calculated using Tier 4 emission standards for engines between 50 and 75 hp and EPA GHG emission factors (40 CFR Part 98). The facility-wide portable emergency internal combustion engines are assumed to operate a maximum of 50 hours per year for maintenance and testing.
- Emissions from on-road mobile sources were calculated using emission factors from EMFAC2021 for SDAPCD defaults and aggregated speeds and vehicle age data (CARB 2023b).

The total annual direct GHG emissions estimated for project operations, shown in Table 3.6-2, would be approximately 320 $MTCO_2e$ per year, which is less than the CAPCOA significance threshold of 900 $MTCO_2e$ per year. Therefore, operation of the project would have a less-than-significant impact.

[5] This is based on four vessels being serviced at the FDD per year, each of which is moved in and out of the FDD by two 1,000-hp tugboats. Each tugboat is expected to operate for approximately 1 hour per movement.

Table 3.6-2. Project Estimated Direct Greenhouse Gas Emissions

Emission Process	Annual Emissions (MT/year)			
	CO_2	CH_4	N_2O	CO_2e
Worker Commutes and Haul Trucks	270	0.004	0.006	272
Maritime Vessels	3.59	< 0.001	< 0.001	3.61
Facility-Wide Portable Internal Combustion Engines	0.02	< 0.001	< 0.001	0.02
FDD Stationary Diesel Emergency Generators	44.37	0.002	< 0.001	44.52
Total Annual Emissions	317.74	0.006	0.006	319.76
CAPCOA Significance Threshold[a]	--	--	--	900
Annual Emissions CAPCOA Exceed Significance Threshold?	--	--	--	No

Source:

[a] CAPCOA 2008

Indirect GHG emissions from the facility are expected to be primarily from purchased electricity. The facility is expected to purchase approximately 1,338 megawatt-hour (MWh) per year.[6] The amount of CO_2e emitted per MWh is approximately 524 pounds (EPA 2025). Indirect CO_2e emissions generated by the proposed project would be approximately 0.527 $MTCO_2e$ per year, which would not substantially increase operational GHG emissions. The sum of direct and indirect emissions is less than the CAPCOA significance threshold of 900 $MTCO_2e$ per year. Therefore, indirect emissions generated by the project would have a less-than-significant impact.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 2: Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?

Impact Discussion

Construction

The Port has adopted a CAP (Port 2013), which includes strategies to meet the Port's goal of reducing annual GHG emissions to 25% below 2006 levels by 2035. The Port's CAP focuses on minimizing GHG emissions to slow the rate of climate change. As described previously, the project would not result in a considerable increase in GHG emissions due to construction, because it is estimated to generate GHG emissions below the 900-MT-of-CO_2e per year threshold. Emissions below the 900-MT-of-CO_2e per year threshold would not interfere with

[6] From Hugo Bermudez via email on August 5, 2024 [EXTERNAL] RE: CEQA Brief.

the state's ability to achieve its AB 32 reduction targets, which is a primary goal of the Port's CAP. Additionally, upon completion of construction, GHG emissions associated with the construction equipment would cease. Construction of the project would not conflict with applicable GHG reduction goals and efficiency requirements of the Port's CAP or the associated statewide planning efforts and would not result in a significant increase in GHG emissions. This impact would be less than significant.

Operations

As described previously, the project would not result in a considerable increase in GHG emissions due to operational activities. Operation of the project would not conflict with CARB's 2022 Scoping Plan targets to reduce GHG emissions from the industrial sector by reducing demand for fossil fuel energy. The project would also be consistent with applicable GHG reduction goals and efficiency requirements of the Port's CAP, such as utilizing alternative powered vehicles and utilizing advanced technologies to reduce GHG emissions. Austal USA plans to use electrical equipment, where able, to reduce the use of fossil fuel energy onsite. The FDD would be powered from existing land-side electrical power sources, and would use built-in electrically powered cranes, stormwater pumps, sewer pumps, and ballast pumps. No additional pumps, cranes, or compressors would be required to operate the FDD. Thus, operation of the project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing emissions of GHGs. Therefore, this impact would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

3.7 Hazards and Hazardous Materials

3.7.1 Environmental Setting

The project site and surrounding areas are associated with Navy- and Port-related shipping and industrial uses including transit, berthing, and repair of vessels among other general marine, industrial, and military uses. Soils within the proposed project area have been dredged to a depth of approximately -38 feet MLLW. Public access to adjacent lands, including coastal recreation and use, is restricted because of security concerns.

The project area is located within the Navy's Munitions Responses Program (MRP) Site 100, MRP sites are identified by the Navy as locations where munitions response actions may be required due to potential hazards from presence of munitions and explosives. Activities in these areas need to comply with the explosives safety requirements of the MRP. MRP Site 100 consists of most of the water area of San Diego Bay and is not a unique hazard to the project site.

According to the Department of Toxic Substances Control (DTSC) Hazardous Waste Tracking System, Austal USA generated approximately 84 tons of hazardous waste in 2024. Approximately 1 ton was *Resource Conservation and Recovery Act* (RCRA) hazardous waste (DTSC 2024).

The proposed project is within the airspace protection boundary and the airport influence area of Naval Air Station North Island as mapped in the *Airport Land Use Compatibility Plan* (ALUCP) (San Diego County Regional Airport Authority 2020).

The San Diego County Operational Area for Emergency Operations consists of the County and all jurisdictions in the County. The *Operational Area Emergency Operations Plan* (Unified San Diego County Emergency Services Organization and San Diego County 2018) describes a comprehensive emergency management system, which provides for a planned response to any emergency associated with natural disasters, technological incidents, terrorism, and nuclear-related incidents. It delineates operational concepts relating to various emergencies, identifies components of a comprehensive emergency management system, and describes the overall responsibilities for protecting life and property, assuring the overall wellbeing of the population. This plan includes evacuation planning and states that jurisdictional evacuation plans would be consistent with the Operational Area Evacuation Annex. Primary evacuation routes consist of the major interstates, highways, and prime arterials within San Diego County. Highways in proximity to the project site include I-5, SR-54, and local streets providing access to interstates and highways.

Hazardous Materials Database Results

The SWRCB GeoTracker database contains records for sites that require cleanup actions, including leaking underground storage tank sites, cleanup program sites, military cleanup sites, and other sites with potential for soil and groundwater contamination. The DTSC EnviroStor database tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination or where there may be reasons to investigate

further. Neither the GeoTracker nor EnviroStor databases identify sites associated with the Austal USA facility site.

Sediment Contamination

Sediment sampling and analysis were performed in the area proposed for FDD placement prior to being dredged; dredging was conducted in 2023-24. Analysis provided in the *Sampling and Analysis Plan Report* (SAPR) (Mission Environmental 2022) concluded that the Recent Bay Deposits (the shallowest sediments) showed widespread effects range low (ERL)[7] exceedances and solid phase toxicity, but that the underlying Bay Formation and Bay Point Formation showed a substantial absence of anthropogenic contamination. Mercury, polycyclic aromatic hydrocarbons (PAHs), and polychlorinated biphenyls (PCBs) were found in the sediment layers in concentrations generally below ERL thresholds. However, in some tests, concentrations above the ERL were found in sediments that could cause toxicity to benthic organisms. Because all the sample locations were within the area that was later dredged, sediment sampling and analysis results do not describe current conditions at the proposed project site. All Recent Bay Deposits were removed from the dredged area, which now consists of Bay Formation and Bay Point Formation materials that do not have substantial anthropogenic contamination. No sampling took place in areas adjacent to the project footprint; however, it is likely that Recent Bay Deposits present as the top layer of sediments in adjacent areas would be similar to those sampled and would also have the same or similar contaminant concentrations. Figure 3.7-1 shows the current dredged condition of the site.

[7] ERL thresholds are toxicity guidelines used by EPA and indicate the concentration below which toxic effects are scarcely observed or predicted.

Figure 3.7-1. Current Dredged Area

Figure 3.7-1
Current Dredged Area
Austal USA
San Diego Shipyard
National City, California

3.7.2 Regulatory Setting

This section describes federal, state, and local regulations concerning hazards and hazardous materials that are applicable to the project. The agencies responsible for enforcing regulations are identified.

3.7.2.1 Federal

Federal Toxic Substances Control Act/Resource Conservation and Recovery Act

The federal *Toxic Substances Control Act* (1976) and the RCRA, administered by the EPA, is authorized to regulate hazardous wastes through the generation, transportation, treatment, storage, and disposal process. The main objectives of the RCRA are to protect human health and the environment from potential hazards, to conserve energy and natural resources, and to reduce the amount of waste generated. EPA authorized the DTSC to implement and enforce the RCRA requirements in California. Regulated entities that generate hazardous waste are subject to waste accumulation, manifesting, and recordkeeping standards.

Comprehensive Environmental Response, Compensation, and Liability Act

The *Comprehensive Environmental Response, Compensation, and Liability Act*, also known as the "Superfund Act," provides a federal fund to identify, characterize, and remediate hazardous material sites. The objective is to respond directly to releases or threatened releases of hazardous substances by cleaning up abandoned hazardous waste sites that may endanger public health or the environment. Under the act, the EPA is responsible for identifying and obtaining the cooperation of parties responsible for hazardous material incidents and conditions. Where responsible parties cannot be found, the EPA is authorized to perform the cleanup using a special trust fund.

Occupational Safety and Health Act of 1970

The *Occupational Safety and Health Act*, implemented by the Occupational Safety and Health Administration (OSHA), contains requirements to ensure the safety of workers. Under the act, management and handlers of hazardous materials are required to receive training to recognize and identify hazardous materials and become familiar with requirements, such as how to remediate any accidental releases. Additional requirements of the act include notifying employees who work in the vicinity of hazardous materials and acquiring material safety data sheets. The act also regulates lead and asbestos in order to reduce potential exposure to employees.

Hazardous Materials Transport Act

The *Hazardous Materials Transport Act* regulates the transportation of hazardous materials, types of hazardous materials, and vehicle marking during transport. The hazardous materials transportation regulations require carriers transporting hazardous materials to receive training in the handling and transportation of hazardous materials.

3.7.2.2 State

California Government Code Section 65962.5

California Government Code Section 65962.5 (commonly referred to as the Cortese List) includes hazardous waste facilities and sites listed by the DTSC; the Department of Health Services lists of contaminated drinking water wells; leaking underground storage tank sites listed by the SWRCB or a discharge of hazardous wastes or materials into the water or groundwater; and lists from local regulatory agencies of sites with a known migration of hazardous waste/material.

Hazardous Waste Control Act of 1972

The *Hazardous Waste Control Act of 1972* created the state hazardous waste management unit within the Department of Health Services. This law was more comprehensive than the federal program and would later become the model for RCRA.

California Occupational Safety and Health Administration

Cal/OSHA protects the health and safety of workers in California. Similar to federal OSHA, Cal/OSHA regulates worker safety, but also requires preparation of an Injury and Illness Prevention Program, an employee safety program of inspections, procedures to correct unsafe conditions, employee training, and occupational safety communication. In addition, it indirectly protects the general public by requiring construction managers to post warning signs, limit public access to construction areas, and obtain permits for work considered to present a significant risk of injury, such as excavations 5 feet deep or greater.

3.7.2.3 Local

San Diego County Department of Health Hazardous Materials Division

The Hazardous Materials Division of San Diego County aims to protect human health and the environment through regulation. The Hazardous Materials Division oversees facilities handling or storing hazardous materials in reportable amounts reported in their Hazardous Material Business Plan, and those involved in the California Accidental Release Prevention Program. The Hazardous Materials Division also regulates businesses that generate or treat hazardous waste, as well as those subject to the *Aboveground Petroleum Storage Act*, and underground storage tank owner/operators. All relevant businesses in San Diego County must obtain a valid permit through the California Environmental Reporting System.

San Diego Unified Port District, Article 10

The Port was created by Chapter 67, Statutes of 1962 to manage in trust certain tide and submerged lands within the San Diego Bay. Article 10, the *Port Stormwater Management and Discharge Control Ordinance*, prohibits the deposit or discharge of any chemicals or waste to the tidelands or San Diego Bay and makes it unlawful to discharge pollutants directly into non-stormwater or indirectly into the stormwater conveyance system.

3.7.3 Thresholds of Significance

The proposed project would result in a significant impact on hazards and hazardous materials if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
2. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
3. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Based on the *Initial Study* prepared for the proposed project (Appendix A), it was determined that because the proposed project is not located within one-quarter mile of an existing or proposed school, no further analysis of whether the proposed project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school is warranted in this EIR.

Based on the *Initial Study* prepared for the proposed project (Appendix A), it was determined that the proposed project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and the proposed project does not include construction or operation activities with the potential to encounter contaminated materials. Therefore, no further analysis of whether the proposed project would be located on a site that is included on a list of hazardous materials sites compiled pursuant to *Government Code* Section 65962.5 or that is otherwise known to have been subject to a release of hazardous substances, and as a result creates a significant hazard to the public or the environment is warranted in this EIR.

Because the proposed project is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones, as identified in the *Initial Study* (Appendix A), further analysis of whether the proposed project would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires is not warranted within this EIR.

3.7.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Measures incorporated into the proposed project as discussed in Section 2.5.4 and listed in Table 2-1 include those intended to avoid or minimize impacts on water quality, which would also serve to avoid or minimize impacts from hazardous substances. These measures are considered part of the proposed project in the following impact analyses.

Threshold 1: Would the project create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Impact Discussion

Construction

Construction activities are not proposed in the adjacent landside areas other than parking and staging of equipment and materials. Potential spills and/or leaks associated with landside activities would be cleaned up immediately. All landside areas drain to the on-site waste collection system in the event of a larger spill. Construction activities associated with mooring dolphins, pile driving for wharf construction and FDD placement would require the use of specialized overwater construction equipment such as floating cranes, barges, tugboats, and hydraulic vibrators and/or diesel-powered impact hammers. There is a potential for discharge of petroleum materials associated with leaks or equipment failure of floating pile drivers or barges during mooring dolphin and wharf construction, as well as FDD placement. Construction equipment would be reviewed and maintained daily or in accordance with their service manual to minimize the potential for releases. Spill kits would be available on board and any accidental release hazardous materials due to spills or leaks would be reported in accordance with state and federal laws.

The project includes WQ-3, which requires the implementation of a SWPPP or Construction Best Management Practices Plan during construction. Requirements of these plans would address all construction-related activities, equipment, and materials that have the potential impact water quality for the appropriate Risk Level. The SWPPP or Construction BMP Plan will identify the sources of pollutants that may affect the quality of stormwater and include BMPs to control the pollutants.

Pile driving would disturb the Bay bottom which could potentially disturb hazardous substances if they are present in the sediment. The SAPR findings are that contaminants were generally found in the shallower Recent Bay Deposits, and that deeper Bay Formation and Bay Point Formation do not have substantial anthropogenic contamination. Since the time that the SAPR was conducted, dredging has subsequently removed the Recent Bay Deposits from the project footprint. In-water construction activities such as pile driving would occur only within the dredged area and therefore would directly affect only the deeper formations that do not have substantial contamination. Because the area of Bay bottom that would be disturbed during construction does not have substantial contamination, dispersion of substantial contaminants from sediment disturbance would not occur. In addition, use of silt curtains in the water during construction would contain the spread of sediments in the water.

The project area is located within the Navy's MRP Site 100. Activities that disturb the sediment at the proposed project location must be executed with explosives safety precautions. More than 20 feet of the underlying native sediments were dredged and removed, and material potentially presenting an explosive hazard is unlikely to still be present. However, there is a chance that something that was not previously at that depth has either been dropped, rolled,

or somehow migrated into the dredged area. The Navy prepared the Site-Specific Explosive Safety Submission (ESS) for the proposed project site (NAVFAC Southwest 2023). In-water project construction activities would be conducted in accordance with the explosives safety protection measures of this ESS.

Operations

Following completion of construction, the project would occasionally require the use of hazardous materials (such as oils, lubricants, paints, cleaning solvents, and weld rods). Potential waste materials that could be generated during general ship repair would be typical of shipyard operations and would include spent sandblast and paint debris, as well as various lubricants and cleaning solvents. Hazardous material deliveries, on-site storage, and off-site transport currently occur at the Austal USA facility. The transport, use, and disposal of any hazardous materials would continue to occur in accordance with the RCRA, US Department of Transportation Hazardous Materials Regulations (CFR Title 49), California Health and Safety Code, and in combination with WQ-8 requirements. Any accidental releases of these materials due to spills or leaks would be cleaned up as part of ongoing operations, consistent with the above-mentioned regulations. Hazardous materials or waste would not be stored on the FDD or on the piers. Hazardous waste would be stored onsite in accordance with the requirements of Austal USA's Unified Program Facility permit. Hazardous waste would be transported offsite quarterly by a hazardous waste hauler who has capacity to handle a larger volume of waste than is currently generated without the need for additional vehicles or trips. Work-process-related trash and debris, including hazardous waste, would be controlled and transported to licensed treatment, storage and disposal facility for proper fuel blending or proper disposal. No new additional hazardous material or hazardous waste storage areas would be required. Used oil and oily wastewater generated by project operations would be collected, stored in landside tanks, and sent to a licensed treatment, storage, and disposal facility (TSDF) for fuel blending or recycling.

The FDD includes a stormwater retention system to capture stormwater and prevent stormwater runoff that could contain hazardous substances into the Bay. Any non-oily rainwater that collects in the FDD and vessel and deck wash-down water would be collected and discharged to the sewer system under Austal USA's existing Industrial User Permit. Any oily wastewater generated from project operations would be collected and handled as hazardous waste.

The project would comply with the provisions of the San Diego RWQCB's *San Diego Region General Waste Discharge Requirements for Discharges from Boatyards and Boat Maintenance and Repair Facilities Adjacent to Surface Waters Within the San Diego Region* (Order R9-2019-0008), and any subsequent permit reissuance in effect at the time of construction. This permit regulates discharges of industrial wastewater (for example, ballast water), and industrial storm water runoff from the proposed project. It includes discharge prohibitions, water quality effluent and receiving water limitations, and provisions for protecting water quality, including the following:

- Monitoring and Reporting Program requirements

- BMPs and Pollution Prevention: This permit requires Austal USA to eliminate the discharge of the first-flush (that is, the first 0.25-inch) of industrial stormwater.

Austal USA would develop, implement, and maintain a SWPPP covering all industrial activities. The SWPPP would incorporate by reference a SPCC plan, including handling procedures, storage requirements, and cleanup equipment and procedures.

Current Austal USA operations include BMPs to avoid pollutant transport in to San Diego Bay, including a system that captures and diverts stormwater to the municipal sewer system, and storm drains in the vicinity of the project are not significant vectors of pollutant transport to the San Diego Bay (Mission Environmental 2022). Adequate BMPs shall be incorporated to prevent the discharge of any ship repair or other pollutants generated on floating drydocks, if any, as well as BMPs for floating drydock ballast water discharges and vessel cooling water discharges. BMPs to be considered for implementation in the SWPPP shall include, but not limited to, the following: hydrowashing; surface preparation, sanding, and paint removal; painting and coating; hull cleaning; engine maintenance and repairs; containerized material storage; and work areas for boat repair.

Implementation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, storage, use, or disposable materials or through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 2: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Impact Discussion

Construction/Operations

The proposed project is within the airspace protection boundary and the airport influence area of Naval Air Station North Island as mapped in the ALUCP (San Diego County Regional Airport Authority 2020). The FDD would be installed and operated within property leased by Austal USA from the Navy. The ALUCP for Naval Air Station North Island does not apply to property owned by the US Government. The adjacent areas of the Austal USA facility leased from the Port are subject to the ALUCP. Construction of the mooring dolphins and wharf would involve floating equipment, such as pile-driving equipment, cranes, and other support barges. All construction equipment would be less than 200 feet high. Placement of the FDD would include typical tugs boats and other equipment. Construction and operation of the FDD would not result in new structures or objects taller than 200 feet in height above ground level, which is the height at

which new structures or objects within the airspace protection boundary could potentially create a safety hazard related to airspace. Construction and operation of the proposed project would not result in any changes to local air traffic in the vicinity of the proposed project, including at Naval Air Station North Island and San Diego International Airport. Neither the construction equipment nor the placement and operation of the FDD would result in or create any obstructions to the safe operation of aircraft or result in any increases in military or civilian air traffic. The proposed project site is not within the 65 dB community noise equivalent level (CNEL) or higher noise contours, nor is it within the clear zone or accident potential zones of Naval Air Station North Island. Implementation of the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area. Therefore, construction and operational impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 3: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impact Discussion

Construction

Construction of the proposed project would occur entirely within Austal's lease areas within San Diego Bay and adjacent landside areas. Construction activities are temporary and would be completed in approximately 8 weeks. Construction of the proposed project would not require any street closures or modification of access to or from Bay Marina Drive to the Austal USA Facility.

Operations

Following completion of construction, operation of the proposed project would not result in any permanent changes to emergency access.

Construction and operation of the proposed project would not impact implementation of or physically interfere with an adopted response plan or emergency evacuation plan and impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

3.8 Hydrology/Water Quality

3.8.1 Environmental Setting

3.8.1.1 Surface Water Hydrology

The project site is within the jurisdiction of the San Diego RWQCB. The San Diego region is divided into 11 hydrologic units (HUs) for administrative purposes. Each of the HUs flows from elevated regions in the east to lagoons, estuaries, or bays in the west and exhibits similar water quality characteristics and issues. The project site is within the San Diego Bay Watershed. It is within the Pueblo San Diego HU, which encompasses approximately 60 square miles of predominantly urban landscape in the cities of San Diego, La Mesa, Lemon Grove, and National City. Approximately 75% of the watershed is developed. Major water features in the Pueblo San Diego HU include Chollas Creek, Paleta Creek, Sweetwater Channel, and San Diego Bay (Project Clean Water 2024). The Pueblo San Diego HU has no central stream system and instead consists primarily of a group of relatively small local creeks and pipe conveyances, many of which are concrete-lined and drain directly into San Diego Bay. The Pueblo San Diego HU contains three hydrologic areas: Point Loma (908.1), San Diego Mesa (908.2), and National City (908.3). The project site is in the San Diego Mesa hydrologic area, as are the San Diego Bay and Sweetwater Channel. The project site is adjacent to and within the San Diego Bay and northwest of Sweetwater Channel (Figure 3.8-1).

Figure 3.8-1. Hydrology Setting

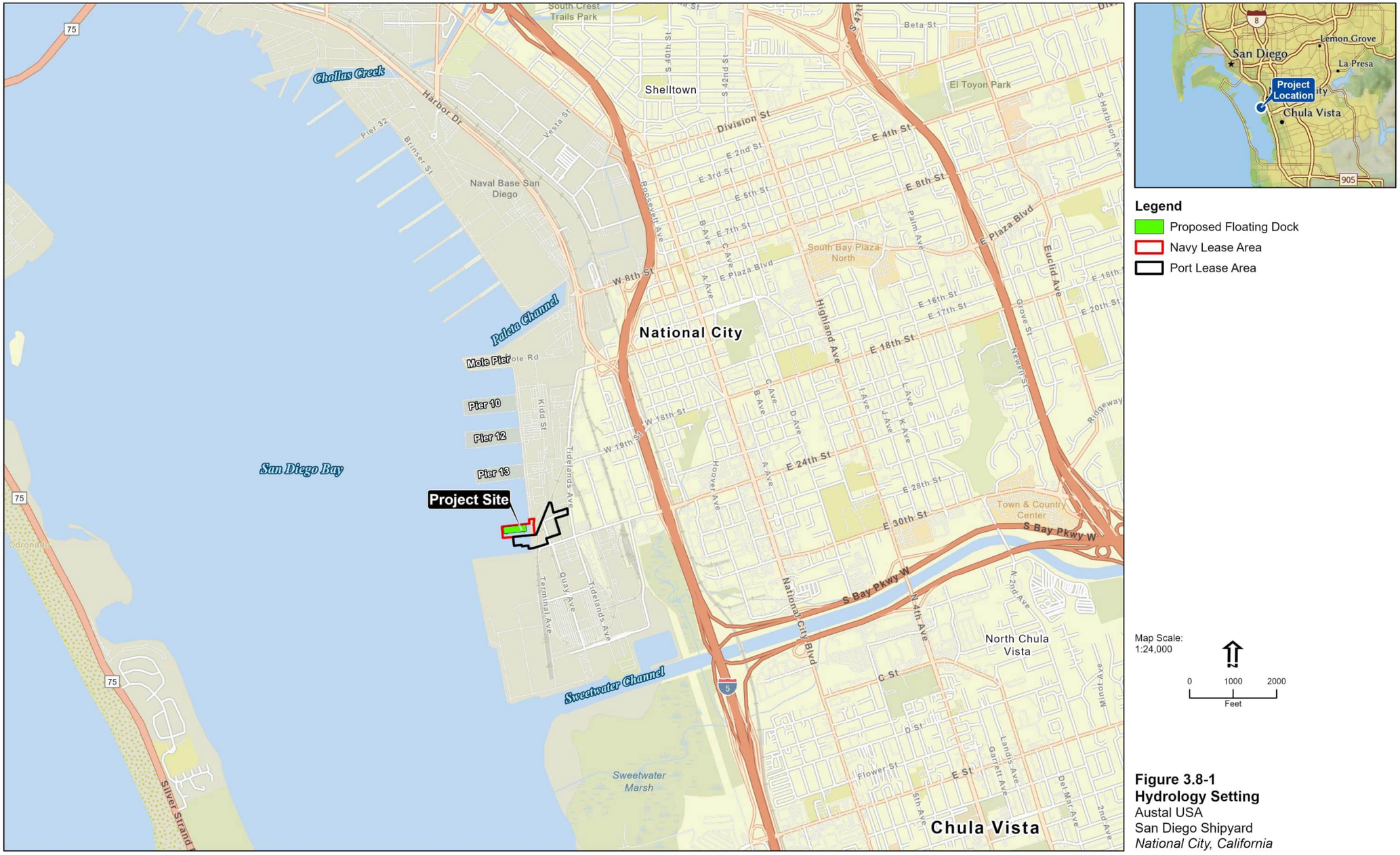


Figure 3.8-1
Hydrology Setting
Austal USA
San Diego Shipyard
National City, California

\\DC1VS01\GISPROJ\A\AUSTAL_USA\MAPFILES\AUSTAL_USA\AUSTAL_USA.APRX PRIESTAF 2/3/2025

Bathymetry and Circulation

The northern and central portions of San Diego Bay have been shaped by historical dredging and filling to support large ship navigation and shoreline development; only the southernmost portion of the Bay retains its natural shallow bathymetry (M&A 2009). The bathymetry and bedform of San Diego Bay are defined by a main navigation channel that steps up to shallower dredged depths toward the sides and southern end of the Bay (M&A 2009). USACE dredges the main navigation channel in San Diego Bay to maintain a depth of -47 feet MLLW and is responsible for providing safe transit for private, commercial, and military vessels within the Bay (NOAA Office of Coast Survey 2024). Outside of the navigation channel, the Bay floor consists of platforms at depths that vary slightly. Within the Central Bay, typical depths range from -35 to -38 feet MLLW to support large ship turning and anchorage. Small vessel marinas are typically dredged to depths of -15 feet MLLW (M&A 2009).

The existing water depth at the southern NBSD property boundary near the existing Austal USA maintenance piers ranges from approximately -9 to -17 feet MLLW. The project site has been dredged to -38 feet MLLW (Figure 3.7-1).

Circulation within San Diego Bay is affected by its crescent shape and narrow Bay mouth, tides, and seasonal salinity and temperature variations (NAVFAC SW 2020b). San Diego Bay can be divided into regions based on circulation characteristics. The project site is located in the South-Central Seasonally Hypersaline Region (that is, with higher salt content than seawater) which occurs between Glorietta Bay and Sweetwater Marsh. Here, variations in salinity due to warm-weather evaporation at the surface separate the water into upper and lower zones driven by density differences (NAVFAC SW 2020b).

San Diego Bay has mixed diurnal/semi-diurnal tides, with the semi-diurnal component being dominant (Largier 1995). The interaction between these two types of tides is such that the higher high tide occurs before the lower low tide, creating the strongest currents on the large ebb tide (Largier 1995). The tidal range (difference between MLLW and mean highest high water) is approximately 5.5 feet (Largier 1995). In general, tidal currents are strongest near the Bay mouth, with maximum velocities of 1.6 to 3.3 feet per second (Largier 1995). Tidal current direction generally follows the center of the channel (SSC San Diego et al. 1999). Residence time for water in San Diego Bay increases from approximately 5 to 20 days in mid-Bay to over 40 days in the South Bay (SSC San Diego et al. 1999). During an average tidal cycle, approximately 13% of the water in San Diego Bay mixes with ocean water and then moves back into the Bay (NAVFAC SW 2020b). The complete exchange of all the water in San Diego Bay can take between 10 and 100 days, depending on the amplitude of the tidal cycle (NAVFAC SW 2020b). Tidal flushing and mixing are important in maintaining water quality within San Diego Bay. The tidally induced currents regulate salinity, moderate water temperature, and disperse pollutants (NAVFAC SW 2020b).

3.8.1.2 Surface Water Quality

San Diego Bay is the receiving water body for the project site, which occurs indirectly through the City's municipal storm drain system. Water quality in the San Diego Bay is influenced by processes and activities that take place within the Pueblo San Diego HU. The creeks in the

watershed are highly affected by urban runoff, such as contaminants from roadways, industry, and other urban sources.

Contaminants found in San Diego Bay include chlorinated hydrocarbons, toxic components of petroleum hydrocarbons, PAHs, PCBs, heavy metals, and organotins (that is, organic compounds with one or more tin atoms) such as tributyltin. The most significant sources of pollutants affecting the beneficial uses of San Diego Bay are urban and agricultural runoff, resource extraction, septic systems, and marinas and boating activities.

Tidal exchange in San Diego Bay controls the flushing of contaminants, salt and heat balance, and residence time of water. The ebb and flow of tides mix ocean and San Diego Bay waters. Tides produce currents, which induce changes in salinity, and alternately expose and cover wet portions of the shoreline. Tidal flushing and mixing are important for dispersing pollutants, maintaining water quality, and moderating water temperature that has been affected by exchange with the atmosphere or heating. Tidal flushing and currents affect water quality in north-central San Diego Bay. Water quality also is influenced locally by freshwater inflows.

Upland Surface Waters

The project site is located within the 60,007-acre San Diego Bay Watershed and within the 16,270-acre Chollas Creek Watershed (Navy 2002). No upland surface waters are present at or adjacent to the project site.

Beneficial Uses

The San Diego RWQCB is responsible for designating beneficial uses for water bodies in the San Diego region; establishing water quality objectives; and developing implementation plans to protect designated beneficial uses through the Basin Plan. Beneficial uses for the nearest inland surface water, Chollas Creek, include contact (potential use) and non-contact water recreation, warm freshwater habitat, and wildlife habitat. Beneficial uses for the nearest coastal water, the San Diego Bay, include industrial service supply, navigation, contact and non-contact recreation, commercial and sport fishing, preservation of biological habitats of special significance, estuarine habitat, wildlife habitat, preservation of rare, threatened, or endangered species, marine habitat, migration of aquatic organisms, spawning, reproduction and/or early development, and shellfish harvesting (San Diego RWQCB 2021).

Total Maximum Daily Loads

CWA Section 303(d) requires the identification of water bodies that do not meet, or are not expected to meet, water quality standards (that is, water bodies that are impaired). The identified water body and associated pollutant or stressor is then prioritized in the current *303(d) List of Impaired Waters,* or 303(d) List. The EPA approved California's current 303(d) List on May 11, 2022 (SWRCB 2022). The CWA further requires development of a total maximum daily load (TMDL) for each listing. A TMDL is the maximum daily amount of a pollutant that a water body can receive and still safely meet water quality standards.

As shown in Table 3.8-1, water bodies with 303(d)-Listed impairments with potential to be affected by the proposed project include Chollas Creek, San Diego Bay Shoreline near Chollas Creek, San Diego Bay (which encompasses the project site), San Diego Bay shoreline between

Sampson Street and 28th Street (which encompasses the project site), and the San Diego Bay shoreline near Coronado Bridge (SWRCB 2022).

Table 3.8-1. 303(d)-Listed Impairments for Water Bodies and Adjacent Shorelines in Project Vicinity

Reach	303(d)-Listed Impairment	Category	Source	Estimated TMDL Completion
San Diego Bay Shoreline, North of 24th Street Marine Terminal	Benthic Community Effects	Sediment	Unknown	2019
	Sediment Toxicity	Sediment	Unknown	2019
San Diego Bay	PCBs	Toxic Organics	Unknown	2019
	Mercury	Metals	Unknown	2027
	PAHs	Toxic Organics	Unknown	2025

Sources: SWRCB 2024

Sediment Contamination

A sampling and analysis plan was prepared in 2022, which summarized the analysis of sediments at the project site that has been NBSD property (Mission Environmental 2022). Based on the sampling and analysis plan, historical operations near the project site may have influenced sediment quality. The SAPR found that mercury, PAHs, and PCBs are present in the sediment layers in concentrations generally below ERL thresholds, which are toxicity guidelines used by EPA and indicate the concentration below which toxic effects are scarcely observed or predicted. However, in some tests concentrations above ERL were found in sediments which could cause toxicity to benthic organisms. No mercury, PAHs, or PCBs were found in water quality tests. The SAPR findings are that contaminants were generally found in the shallower Recent Bay Deposits, and that deeper Bay Formation and Bay Point Formation do not have substantial anthropogenic contamination. The entire area that was sampled has subsequently been dredged (Figure 3.7-1) so the results reported in the SAPR do not reflect current conditions. No sampling occurred in areas adjacent to the project footprint. However, the condition of the sediment in adjacent areas that were not sampled and have not been dredged is likely similar to the former condition of the project site as reported in the SAPR.

Marine Waters

As described in Section 3.8.1.1, San Diego Bay is a narrow, crescent-shaped natural embayment-oriented northwest-southeast, with an approximate length of 15 miles (NAVFAC SW 2020b). The width of the Bay ranges from 0.2 to 3.6 miles, and depths range from -74 feet MLLW near the tip of Ballast Point to less than 4 feet at the southern end (M&A 2009). Approximately half of the Bay is less than 15 feet deep and most of it is less than 50 feet deep

(M&A 2009). Prior to the 1960s, San Diego Bay was one of the most polluted harbors in the world because of more than 70 years of discharge of raw sewage and industrial waste as the population increased and San Diego became a major harbor for the Navy and civilian commerce (SSC San Diego et al. 1999). In 1963, the City of San Diego constructed its Wastewater Treatment Plant on the western side of the Point Loma peninsula to properly treat sanitary sewage before ocean discharge via an offshore pipeline. Use of the treatment plant and elimination of industrial discharges in the 1970s resulted in rapid water quality improvements in the Bay (NAVFAC SW 2020b).

Water temperature in San Diego Bay ranges from 59.1 to 78.9 degrees Fahrenheit (°F). This range can be attributed to thermoclines exhibited in deeper industrial/port waters, which are typical of this geographic region. Measured pH values range from 6.80 to 8.03 throughout the Bay (low pH values noted but verified with calibrated field meters). Dissolved oxygen levels have an average of approximately 7.6 milligrams per liter (mg/L) and range from 0.80 to 8.50 mg/L. Light transmittance ranges from 22.5 to 79.5%. Levels of dissolved oxygen and light transmittance tend to decrease with depth and known factors for a decline in measured values, including reduced flushing and natural stratification (Amec Foster Wheeler 2016).

Water quality is commonly assessed by measuring dissolved nutrients, dissolved oxygen, pH, turbidity, chlorophyll a (that is, a measure of the phytoplankton present in San Diego Bay), and coliform bacteria (SSC San Diego et al. 1999). Measured values for dissolved nutrients in the bay such as phosphate and silicates range from 0.9 to 4 parts per million (ppm) for silicon and 0.02 to 0.3 ppm for phosphorus in the winter, to 0.3 to 1.3 ppm for silicates and 0.2 ppm for phosphorus in the summer (SSC San Diego et al. 1999). This variation is the result of inflow of these nutrients with winter runoff, and uptake by phytoplankton growth in the summer (SSC San Diego et al. 1999). Dissolved oxygen levels range from approximately 4 milliliters per liter (mL/L) during the summer to 8 mL/L during the winter (SSC San Diego et al. 1999). These oxygen levels are typically at or near atmospheric equilibrium levels.

Surface water chemistry is analyzed by the Regional Harbor Monitoring Program using primary and secondary indicators, including total and dissolved levels of copper (primary), and total and dissolved zinc and nickel (secondary). Copper concentrations in San Diego Bay show improvement in comparison with a historical baseline, and average copper concentrations do not exceed the California Toxics Rule (CTR) threshold of 5.8 micrograms per liter (µg/L) total and 4.8 µg/L dissolved. Less than 20% of measurements throughout the Bay still exceed the CTR threshold. Both total and dissolved zinc and nickel concentrations are well below CTR threshold values used for the Regional Harbor Monitoring Program. All other dissolved and total metals are found at concentrations below their respective acute and chronic CTR thresholds. Polycyclic aromatic hydrocarbon concentrations are also below their respective CTR threshold values (Amec Foster Wheeler 2016).

Turbidity is a measure of water clarity or murkiness and can be caused by suspended sediments transported in runoff or increased algal/bacterial growth. Turbidity can also be created by natural and man-made resuspension of bottom sediments. Increased turbidity reduces the amount of light available for plant growth underwater, so it can affect the ability of San Diego

Bay to support living organisms. Turbidity in San Diego Bay varies, depending on the tides, seasons, and location within the Bay (NAVFAC SW 2020b).

The monthly average for the North Bay varies from 0.4 to 2.1 nephelometric turbidity units (NTU), with amounts up to 3 NTU during December rainfall and 7 NTU during the maximum tidal change (NAVFAC SW 2020b). The *Water Quality Control Plan for the San Diego Basin* (Basin Plan) sets limits for allowable increases in turbidity over existing conditions (San Diego RWQCB 2016).

Chlorophyll *a* concentrations range from 0.2 to 25 µg/L (SSC San Diego et al. 1999). The highest values were measured in the South Bay in winter when runoff carries high levels of nutrients into the South Bay. In summer, chlorophyll *a* levels return to background levels of 1 to 2 µg/L. These chlorophyll *a* levels are generally much higher than those found in the adjacent open ocean. Before 1964, when untreated sewage was still being discharged into San Diego Bay, bacterial counts (fecal coliform) were as high as 82 microorganisms per milliliter in the South Bay (SSC San Diego et al. 1999). After these discharges ceased, bacterial counts have typically remained below 10 microorganisms per milliliter except during some winter storms. These levels are below federal limits for water contact, indicating that San Diego Bay is generally safe for recreational use (SSC San Diego et al. 1999).

Current sources of pollution to San Diego Bay include underground dewatering, industries on the Bay and upstream, marinas and anchorages, Navy activities, materials used for underwater hull cleaning and vessel anti-fouling paints, and urban runoff (SSC San Diego et al. 1999). Additional pollution sources include creosote-treated wood pier pilings, which are a source of PAHs, stormwater runoff from land used for industrial, commercial, and transportation purposes, bilge water discharge, and oil spills (SSC San Diego et al. 1999).

Overall, the levels of contamination in the water and sediment in San Diego Bay appear to be lower now than in previous decades, including levels of some metals and PAHs (NAVFAC SW 2020b).

3.8.1.3 Drainage Patterns

The landside portions of the Austal USA facility are highly impervious and flat, consisting of paved roadways, parking facilities, commercial buildings, an office building, and equipment staging and storing areas. Current operations include many BMPs to avoid pollutant transport to San Diego Bay, including a system that captures and diverts stormwater to the municipal sewer system, and storm drains in the vicinity of the project are not significant vectors of pollutant transport to the San Diego Bay (Mission Environmental 2022).

3.8.1.4 Potential Flooding and Inundation

As shown on FEMA Flood Insurance Rate Maps (FIRMs) 06073C1911H and 06073C1892H, the project site is partially within a Special Flood Hazard Area labeled Flood Zone AE (Figure 3.8-2). Flood Zone AE is an area subject to flooding during the 100-year storm event (1% annual chance of flooding where base flood elevations and flood hazard factors are determined) (FEMA 2019).

The project site is within a tsunami hazard area, as delineated on the Tsunami Hazard Area Map published by CGS (CGS 2022). Because the project site is situated on and adjacent to the San Diego Bay, it could also be susceptible to seiche.

Figure 3.8-2. FEMA Flood Zones

Figure 3.8-2
FEMA Flood Zones
Austal USA
San Diego Shipyard
National City, California

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3.8.2 Regulatory Setting

3.8.2.1 Federal

Clean Water Act

The primary goals of the CWA are to restore and maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The EPA is the lead federal agency responsible for water quality management. The CWA, as codified in 33 USC 1251–1387, is the primary federal law that governs and authorizes water quality control activities by the EPA and the states. The CWA amends the federal *Water Pollution Control Act of 1972* and established the basic structure for regulating discharges of pollutants into the waters of the United States not including groundwater. Under the CWA, it is unlawful for any person to discharge any pollutant from a point source into navigable waters, unless an NPDES permit is obtained and implemented within compliance. In addition, the CWA requires the states to adopt water quality standards for receiving water bodies and to have those standards approved by EPA. Water quality standards consist of designated beneficial uses for a particular receiving water body (for example, wildlife habitat, agricultural supply, fishing), along with water quality criteria necessary to support those uses. The proposed project would be required to comply with the CWA, as discussed in the following subsections.

Clean Water Act Section 303: Impaired Water Bodies (303(d) List) and Total Maximum Daily Loads

Under CWA Section 303(d), the SWRCB is required to develop a list of impaired water bodies that do not meet water quality standards (promulgated under the National Toxics Rule or the CTR) after the minimum technology-based effluent limitations have been implemented for point sources. Lists are to be priority ranked for development of a TMDL. The California RWQCBs and EPA are responsible for establishing TMDL waste-load allocations and incorporating improved load allocations into water quality control plans, NPDES permits, and WDRs. CWA Section 305(b) requires states to assess the status of water quality conditions within the state in a report to be submitted every 2 years.

Both CWA requirements are being addressed by the SWRCB through the development of a 303(d)/305(b) Integrated Report, which will address both an update to the 303(d) list and a 305(b) assessment of statewide water quality. As noted in Section 3.8.1.2 the SWRCB developed a statewide *2020–2022 California Integrated Report* (SWRCB 2022) based upon the Integrated Reports from each of the nine RWQCBs. The *2020-2022 Integrated Report* was approved by the EPA on May 11, 2022.

All the 303(d) listed impaired waters with potential to be affected by the proposed project would be evaluated, and minimization measures would be implemented to protect waters from further water quality impairment.

Clean Water Act Section 401: Water Quality Certification

Under CWA Section 401, an applicant for a Section 404 permit to discharge dredged or fill material into waters of the United States must first obtain a certificate from the appropriate state agency stating that the fill is consistent with the state's water quality standards and

criteria. In California, the authority to either grant water quality certification or waive the requirement is delegated by the SWRCB to the nine RWQCBs.

On March 23, 2023, the San Diego RWQCB issued a conditioned CWA 401 Water Quality Certification and WDR Order R0-2023-0030 for the proposed project (Appendix B).

Clean Water Act Section 402: National Pollutant Discharge Elimination System Permits

CWA Section 402(p) was amended in 1987 to require the EPA to establish regulations for permitting of municipal and industrial (including active construction sites) stormwater discharges under the NPDES permit program. EPA published final regulations for industrial and municipal stormwater discharges on November 16, 1990. The NPDES program requires all industrial facilities and municipalities of a certain size that discharge pollutants into waters of the United States to obtain a permit. Stormwater discharges in California are commonly regulated through general and individual NPDES permits, which are adopted by the SWRCB or RWQCBs and are administered by the RWQCBs. EPA requires NPDES permits to be revised to incorporate waste-load allocations for TMDLs when the TMDLs are approved (40 CFR 122).

NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, or other activities.

The proposed project would be required to comply with the CGP, which is described below.

Clean Water Act Section 404: Permits for Dredged or Fill Material

Under CWA Section 404, USACE and EPA regulate the discharge of dredged and fill materials into the waters of the United States. These waters are primarily defined as navigable waterways or water features (including wetlands) that have a significant nexus to navigable waters. Project sponsors must obtain authorization from USACE for all discharges of dredged or fill materials into waters of the United States before proceeding with a proposed activity. Individual Section 404 permits may only be issued for a least environmentally damaging practicable alternative. Compliance with CWA Section 404 requires compliance with several other environmental laws and regulations. USACE cannot issue an individual permit or verify the use of a general permit until the requirements NEPA, federal ESA, CZMA, and *National Historic Preservation Act* have been met. Additionally, no permit can be issued or verified until a water quality certification, or waiver of certification, has been issued pursuant to CWA Section 401.

Section 10, Rivers and Harbors Act of 1899

The *Rivers and Harbors Act* is a primary federal law regulating activities that may affect navigation on the nation's waterways. Section 10 of the *Rivers and Harbors Act* grants USACE control over obstructions to navigable waters of the United States and gives USACE exclusive authority to approve construction of smaller structures. USACE and some states require a permit for any in-water construction of piers, wharfs, bulkheads, pilings, marinas, docks, ramps, floats, moorings, and like structures; construction of wires and cables over the water, and

pipes, cables, or tunnels under the water; dredging and excavation; any obstruction or alteration of navigable water; deposit of fill and dredged sediments; filling of wetlands adjacent to or contiguous to waters of the US; construction of riprap, revetments, groins, breakwaters, and levees; and transportation dredged sediments for dumping into ocean waters.

On July 15, 2023, the USACE approved a conditioned Army Corps Department of the Army Permit to Austal USA, LLC for the proposed project (Permit SPL-2022-00654-RRS). This permit included special conditions regulating activities pursuant to Section 10 (Appendix B).

National Toxics Rule and California Toxics Rule

EPA adopted the National Toxics Rule (40 CFR 131.36) on December 22, 1992, and later amended it on May 4, 1995, and November 9, 1999. Approximately 40 criteria in the National Toxics Rule apply in California, which are provided under 40 CFR 131.36 (d)(10). On May 18, 2000, EPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted National Toxics Rule criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants.

Federal Emergency Management Agency

FEMA administers the National Flood Insurance Program to provide subsidized flood insurance to communities that comply with FEMA regulations limiting development in floodplains. FEMA also issues FIRMs that identify which land areas are subject to flooding. These maps provide flood information and identify flood hazard zones in the community. The design standard for flood protection is established by FEMA. FEMA's minimum level of flood protection for new development is the 100-year flood event, also described as a flood that has a 1-in-100 chance of occurring in any given year.

Additionally, FEMA has developed requirements and procedures for evaluating earthen levee systems and mapping the areas affected by those systems. Levee systems are evaluated for their ability to provide protection from 100-year flood events, and the results of this evaluation are documented in the FEMA Levee Inventory System. Levee systems must meet minimum freeboard standards and must be maintained according to an officially adopted maintenance plan. Other FEMA levee system evaluation criteria include structural design and interior drainage.

The waterside portion of the project site falls primarily within FEMA FIRM Nos. 06073C1911H and 06073C1892H and would therefore be subject to FEMA regulations.

Executive Order 11988 Floodplain Management

EO 11988, *Floodplain Management*, requires federal agencies to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development unless it is the only practicable alternative. Flood potential of a site is usually determined by the 100-year floodplain, which is defined as the area that has a 1% chance of inundation by a flood event in a given year.

Executive Order 11990 Protection of Wetlands

EO 11990, *Protection of Wetlands*, requires that federal agencies adopt a policy to avoid, to the extent possible, long- and short-term adverse impacts associated with destruction and modification of wetlands and to avoid the direct and indirect support of new construction in wetlands whenever there is a practicable alternative.

3.8.2.2 State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Act is California's statutory authority for the protection of water quality. Under the Porter-Cologne Act, California must adopt water quality policies, plans, and objectives that protect its waters for the use and enjoyment of the people. As specified in the *California Water Code*, California is divided into nine regions governed by RWQCBs that, under the guidance and review of the SWRCB, implement and enforce provisions of the *California Water Code* and the CWA. The project site is in Region 9, the San Diego Region, and governed by the San Diego RWQCB.

The Porter-Cologne Act also requires waste dischargers to notify the RWQCBs of their activities through the filing of Reports of Waste Discharge and authorizes the SWRCB and RWQCBs to issue and enforce WDRs, NPDES permits, Section 401 water quality certifications, or other approvals.

The proposed project requires compliance with the Porter-Cologne Act through compliance with any conditions mandated by the San Diego RWQCB under the CWA Section 401 Water Quality Certification.

State Water Resources Control Board Resolution Number 68-16

SWRCB Resolution Number 68-16, *Statement of Policy Regarding Maintaining High-Quality Water in California,* also known as the Antidegradation Policy, protects the quality of water bodies where the quality is higher than the established standards for the protection of beneficial uses. Any actions that adversely affect water quality in surface or ground water must:

> "1) be consistent with maximum benefit to the people of the State; 2) not unreasonably affect present and anticipated beneficial use of the water; and 3) not result in water quality less than that prescribed in water quality plans and policies."

Water Quality Control Plan for Enclosed Bays and Estuaries

The *Water Quality Control Plan for Enclosed Bays and Estuaries: Part 1 Sediment Quality Objectives* (Enclosed Bays and Estuaries Plan) (SWRCB 2008) was adopted by the SWRCB in 2008, and was most recently amended on June 5, 2018, to include the *Enclosed Bays and Estuaries Plan Sediment Quality Provisions* (Sediment Quality Provisions). The Sediment Quality Provisions are intended to comply with the legislative directive of *California Water Code* Section 13393, which requires the SWRCB to adopt sediment quality objectives (SQOs). The Sediment Quality Provisions include measures to protect sediment-dependent biota communities in enclosed bays and estuaries. The Sediment Quality Provisions also include SQOs for the projection of aquatic life, human health, wildlife, and resident finfish.

SWRCB CGP (Order WQ 2022-0057-DWQ)

The CGP (NPDES CAS000002 under SWRCB Order 2022-0057-DWQ, as adopted on September 8, 2022) became effective on September 1, 2023. The CGP regulates stormwater discharges from construction sites which result in a disturbed soil area of 1 acre or greater, and/or are smaller sites that are part of a larger common plan of development.

For all projects subject to the CGP, the applicant is required to hire a Qualified SWPPP Developer to develop and implement an effective SWPPP. A Qualified SWPP Practitioner may be hired as well to assist in field work. All project registration documents, including the SWPPP, risk level determinations, site map, and post-construction treatment documents are required to be uploaded into the SWRCB's online Stormwater Multiple Application and Report Tracking System (SMARTS). A waste discharge identification number will be issued within 10 business days after the SWRCB receives a complete Notice of Intent (NOI) package.

The 2022 CGP requires post-construction treatment permit registration documents to be submitted in SMARTS with the NOI to include: (1) An attachment or web-source containing the NPDES municipal separate storm sewer system (MS4) post-construction requirements and (2) The post-construction plans and calculations. Preliminary post-construction plans and calculations may be submitted as a Permit Registration Document, as long as the approved plans and calculations are submitted within 14 days of approval by the municipal stormwater permittee, through a Change of Information in SMARTS. Additionally, a Change of Information in SMARTS must be submitted for any revisions to post-construction plans and calculations prior to submitting the Notice of Termination.

The CGP contains a risk-based permitting approach by establishing three levels of risk possible for a construction site. Risk levels are determined during the planning, design, and construction phases, and are based on project risk of generating sediments and receiving water risk of becoming impaired. Requirements apply according to the risk level determined, with additional monitoring and reporting requirements for higher risk projects with detailed requirements listed in Attachment D of the CGP. Requirements include:

- Deployment of stormwater BMPs, including site management (good housekeeping), non-stormwater management, run-on and runoff controls, erosion control, and sediment controls.
- Visual inspections weekly, prior to qualifying precipitation events, during those events (every 24 hours) and post-event. A qualifying precipitation event is defined as a forecasted 50% probability of precipitation of 0.5-inch or more within a 24-hour period and continues subsequent 24-hour periods when 0.25-inch or more is forecast.
- Rick Level 2 and 3 projects have sampling requirement for pH and turbidity.
- Additionally, sampling for numeric action levels and numeric effluent limits is required for all risk level projects for TMDL-related non-visible pollutants listed in Attachment H of the CGP, if there is a discharge due to failure to implement a BMP, a container spill or leak, or a BMP breach or malfunction.

The SWRCB finds that compliance with the CGP would be consistent with the antidegradation provisions of 40 CFR Section 131.12 and SWRCB Resolution 68-16 and would ensure that construction stormwater discharges would not lower water quality standards or interfere with the maintenance and protection of beneficial uses and water quality objectives.

California Coastal Act Section 30233

Section 30233 of the *California Coastal Act* relates to in-water work in open coastal waters, wetlands, estuaries, and lakes. Specifically, diking, filling or dredging is allowed (in accordance with other applicable provisions of the Coastal Act), where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. Among the types of activities this section is limited to is new or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

3.8.2.3 Local

Water Quality Control Plan (Basin Plan)

The preparation and adoption of water quality control plans (Basin Plans) is required by *California Water Code* Section 13240 as prescribed by the CWA. Section 303 of the CWA requires states to adopt water quality standards that "consist of the designated uses of the navigable waters involved and the water quality criteria for such waters based upon such uses." According to Section 13050 of the *California Water Code*, Basin Plans consist of a designation or establishment of beneficial uses to be protected, water quality objectives to protect those uses, and a program of implementation needed for achieving the objectives for the waters within a specified area. Because beneficial uses, together with their corresponding water quality objectives, can be defined per federal regulations as water quality standards, the Basin Plans are regulatory references for meeting the state and federal requirements for water quality control. The project site is within the San Diego RWQCB's jurisdiction and would be required to comply with the Basin Plan.

Beneficial Uses

The San Diego RWQCB has designated beneficial uses and water quality objectives for water bodies under its jurisdiction (RWQCB 2021). They are defined as the uses of water necessary for the survival or wellbeing of humans, plants, and wildlife. These uses of water serve to promote the tangible and intangible economic, social, and environmental goals of mankind. Examples include drinking, swimming, industrial, and agricultural water supply, and the support of fresh and saline aquatic habitats (RWQCB 2021).

Because of the project site's location, the receiving waters are limited to the Bay, the designated beneficial uses of which include the following:

- Industrial Service Supply (IND) includes use of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well re-pressurization.
- Navigation (NAV) includes uses of water for shipping, travel, or other transportation by private, military, or commercial vessels.

- Contact Water Recreation (REC1) includes uses of water for recreational activities that involve body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, or the use of natural hot springs.
- Non-contact Water Recreation (REC2) includes the uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.
- Commercial and Sports Fishing (COMM) includes the uses of water for commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to, uses involving organisms intended for human consumption or bait purposes.
- Preservation of Biological Habitats of Special Significance (BIOL) includes uses of water that support designated areas or habitats.
- Estuarine Habitat (EST) includes uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (for example, estuarine mammals, waterfowl, or shorebirds).
- Wildlife Habitat (WILD) includes uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife, or wildlife water and food sources.
- Rare, Threatened, or Endangered Species (RARE) includes uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered.
- Marine Habitat (MAR) includes uses of water that support marine ecosystems including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (for example, marine mammals, shorebirds).
- Migration of Aquatic Organisms (MIGR) includes uses of water that support habitats necessary for migration, acclimatization between fresh and salt water, or other temporary activities by aquatic organisms, such as anadromous fish.
- Spawning, Reproduction, and/or Early Development (SPWN) includes uses of water that support high-quality habitats suitable for reproduction, early development, and sustenance of marine fish and/or cold freshwater fish.
- Shellfish Harvesting (SHELL) includes uses of water that support habitats suitable for the collection of filter-feeding shellfish (for example, clams, oysters, and mussels) for human consumption, commercial, or sport purposes.

Water Quality Objectives for Inland Surface Waters, Enclosed Bays and Estuaries, Coastal Lagoons, and Ground Waters

The Basin Plan sets narrative and numerical water quality objectives that must be attained or maintained to protect beneficial uses and conform to the state's Antidegradation Policy. The water quality objectives are the levels of water quality constituents that must be met to protect

the beneficial uses (San Diego RWQCB 2016). A complete and detailed list of water quality objectives can be found in the Basin Plan. Applicable water quality objectives are listed in Chapter 3. For San Diego Bay, applicable objectives include those contained in the (statewide) *Inland Surface Waters, Enclosed Bays, and Estuaries Plan, Enclosed Bays and Estuaries Plan*, *Thermal Plan*, and applicable objectives.

Strategic Water Quality Assessment Approach for San Diego Bay

Pursuant to the requirements set forth in the *Water Quality Control Plan for Enclosed Bays and Estuaries* (SWRCB 2008) (discussed above), The Strategic Water Quality Assessment Approach for San Diego Bay was finalized by the RWQCB in December 2021 and revised in August 2022. The assessment approach builds on the RWQCB's 2012 *A Framework for Monitoring and Assessment in the San Diego Region* (Framework) by identifying the assessment needs for the Bay's three most important beneficial uses of waters: habitats and ecosystems, fish and shellfish consumption, and recreation.

The document outlines an approach for assessments that provides focused information for a better understanding of whether the RWQCB is achieving its goal of protecting and restoring the beneficial uses of the Bay's waters. The Strategic Water Quality Assessment Approach will allow the RWQCB to assess the health of the entire water body and drive decisions for management actions and resource allocation.

The assessment approach introduces a process for analyzing the data, which will standardize the assessment of water quality. Primary and supplemental assessment and monitoring needs are identified to answer the Framework's questions for the three most important beneficial uses. The details of this Strategic Water Quality Assessment Approach are outlined in the tables provided in Appendix C of the assessment approach. The RWQCB will periodically assess each Framework question (conditions, stressors impacting conditions, sources of stressors, and performance of management actions) of San Diego Bay in accordance with the data analysis methods outlined in Appendix C and will use the information from the assessments to prioritize and focus its staff and resources on what is most important to achieve a healthy San Diego Bay. The monitoring effort to implement these assessments is likely too big for any one agency or existing program. The RWQCB will use its regulatory means, resources, and partnerships to collect data and encourage other parties to collect the data so that the whole community can truly understand whether the Bay's waters provide safe recreation, food, and habitats.

Although the Strategic Water Quality Assessment Approach for San Diego Bay is not a project-specific approach, the proposed project would need to meet the permit conditions mandated under CWA Section 401 Water Certification to ensure no conflict with the overall goals of the Assessment Approach.

Municipal Stormwater Permit (Order R9-2013-0001 As Amended by Orders R9-2015-001 and R9-2015-0100)

The Municipal Stormwater Permit (Order R9-2013-0001 as amended by Orders R9-2015-0001 and R9-2015-0100) is a NPDES permit that requires the owners and operators of MS4s within the San Diego region to implement management programs to limit discharges of pollutants and non-stormwater discharges to and from their MS4 during all phases of development. The

Municipal Stormwater Permit requires "co-permittees" to develop watershed-based Water Quality Improvement Plans (WQIP). The intent of the Municipal Stormwater Permit is to enable each jurisdiction to focus its resources and efforts to:

- Reduce pollutants in stormwater discharges from its MS4
- Effectively prohibit non-stormwater discharges to its MS4
- Achieve the interim and final WQIP numeric goals

The proposed project would be required to comply with the Municipal Stormwater Permit requirements including implementation of a Jurisdictional Runoff Management Program, as well as any specific WQIP requirements and BMPs identified by the Port to be implemented in compliance with the Municipal Stormwater Permit.

BMP Design Manual

The Port has adopted an updated jurisdiction-specific local *Port BMP Design Manual* (Port 2020) to address the requirement of the Municipal Stormwater Permit. The *Port BMP Design Manual* applies to projects carried out on Port-managed tidelands. The *Port BMP Design Manual* is consistent with the *Model BMP Design Manual* (Project Clean Water 2018) that was developed collectively with other San Diego County jurisdictions. The *Port*'s *BMP Design Manual* identifies updated post-construction stormwater requirements for both tenant- and Port-sponsored major maintenance or capital improvement projects, as required by the Municipal Stormwater Permit.

The *Model BMP Design Manual* identifies BMP requirements for both standard projects and priority development projects (PDPs) as outlined in the permit. All new development and redevelopment projects are required to implement standard source-control and site design BMPs to eliminate or reduce stormwater runoff pollutants. For PDPs, the *Model BMP Design Manual* also describes pollutant-control BMPs that must be incorporated into site design and, where applicable, addresses potential hydromodification impacts from changes in flow and sediment supply.

Project proponents must submit a Storm Water Quality Management Plan (SWQMP) accurately describing how the project will meet source-control site design and pollutant-control BMP requirements. Port staff provide technical review of and approve SWQMP documents and drainage design plans to ensure that pollutant-control BMP requirements are met. The SWQMP is evaluated for compliance with the Municipal Stormwater Permit and with design criteria outlined in the *Port*'s *BMP Design Manual*. Once the approval process is complete, the project is able to commence, and routine inspections are conducted throughout the duration of project construction.

The proposed project is a PDP; therefore, an SWQMP, source-control BMPs, and treatment control BMPs are required.

Source-Control and Site Design Requirements

The Municipal Stormwater Permit directs the Port to require development of an SWQMP during the planning process for all development projects. Both standard and PDP projects must implement source-control and site design requirements.

General requirements for the BMPs to be included in the SWQMP include:

- On-site BMPs must be located so as to remove pollutants from runoff prior to its discharge to any receiving waters, and as close to the source as possible.
- Structural BMPs must not be constructed within waters of the United States.
- On-site BMPs must be designed and implemented with measures to avoid the creation of nuisance or pollution associated with vectors (for example, mosquitos, rodents, flies).

Source-control BMPs must be implemented at all development projects where applicable and feasible. Source-control BMP requirements include the following.

- Prevention of illicit discharges into the MS4
- Storm drain system stenciling or signage
- Protection of outdoor material storage areas from rainfall, run-on, runoff, and wind dispersal
- Protection of materials stored in outdoor work areas from rainfall, run-on, runoff, and wind dispersal
- Protection of trash storage areas from rainfall, run-on, runoff, and wind dispersal
- Use of any additional BMPs determined to be necessary by the Port to minimize pollutant generation at each project

Site design BMPs must be implemented at all development projects where applicable and feasible. Site design BMP requirements include the following.

- Maintenance or restoration of natural storage reservoirs and drainage corridors (including topographic depressions, areas of permeable soils, natural swales, and ephemeral and intermittent streams)
- Buffer zones for natural water bodies (where buffer zones are technically infeasible, Austal USA is required to include other buffers such as trees, access restrictions, etc.)
- Conservation of natural areas within the project footprint including existing trees, other vegetation, and soils
- Construction of streets, sidewalks, or parking lot aisles to the minimum widths necessary, provided public safety is not compromised
- Minimization of the impervious footprint of the project
- Minimization of soil compaction to landscaped areas
- Disconnection of impervious surfaces through distributed pervious areas
- Landscaped or other pervious areas designed and constructed to effectively receive and infiltrate, retain, and/or treat runoff from impervious areas, prior to discharging to the MS4
- Small collection strategies located at, or as close as possible to, the source (that is, the point where stormwater initially meets the ground) to minimize the transport of runoff and pollutants to the municipal and receiving waters
- Use of permeable materials for projects with low traffic areas and appropriate soil conditions

- Landscaping with native or drought-tolerant species
- Harvesting and using precipitation

Stormwater Pollutant-Control Requirements for PDPs

Redevelopment projects that create or replace 2,500 square feet of impervious surface adjacent to an environmentally sensitive waterbody (that is, San Diego Bay) and/or fit into a specific use category as identified in the *Port*'s *BMP Design Manual* are categorized as PDPs. In addition to the site design and source-control BMPs discussed above, PDPs are required to implement stormwater pollutant-control BMPs to reduce the quantity of pollutants in stormwater discharges. Stormwater pollutant-control BMPs are engineered facilities that are designed to retain (that is, intercept, store, infiltrate, evaporate, and evapotranspire), biofilter, and/or provide flow-through treatment of stormwater runoff produced from a 24-hour, 85th percentile storm event (design capture volume) on the project site. Section 4.5.2, Table 4-5 of the *Jurisdictional Runoff Management Plan* (Port 2024c) identifies the PDP categories, as defined by the Municipal Stormwater Permit and as outlined in the *Port of San Diego's BMP Design Manual* (Port 2024b).

The Municipal Stormwater Permit prioritizes the use of retention BMPs either as "harvest and use" or though infiltration. Full infiltration may be potentially determined to be infeasible due to high groundwater at the project site. When infiltration is infeasible, biofiltration must be considered and requires a BMP minimum footprint of 3% of the site area.

Construction-Related Best Management Practices

The Municipal Stormwater Permit directs the Port to require minimum BMPs at all construction and grading projects. The minimum BMPs are required to ensure a reduction of potential pollutants from the project site to the maximum extent practicable and to effectively prohibit non-stormwater discharges from construction sites to the MS4. These BMPs also ensure that all construction and grading activities are in compliance with applicable Port ordinances and other environmental laws and are supportive of the WQIP goals.

The required minimum BMPs fall into several major categories as outlined in the Municipal Stormwater Permit, including project planning, good site management, non-stormwater management, erosion control, sediment control, run-on and runoff controls, and, where applicable, active/passive sediment treatment. The BMPs to be implemented at a particular project must be site-specific, seasonally appropriate, and construction phase appropriate. Notwithstanding seasonal variation, projects occurring during the dry season will be required to plan for and must be able to address rain events that may occur.

The Port's *Jurisdiction Runoff Management Plan* also includes minimum BMPs that support the WQIP priorities and integrate WQIP strategies PO-12 and PO-13. Good Housekeeping BMPs prevent discharges of WQIP high-priority pollutants including metals, bacteria, and trash to the MS4. Additionally, pursuant to strategy PO-13, the Port requires sites to cover construction material stockpiles that contain metals, such as treated timber during wet weather. Minimum BMPs for construction sites are as follows:

- Project Planning

- Non-Stormwater Management
- Good Housekeeping/Waste Management
- Erosion Control
- Sediment Control
- Run-on and Runoff Control

San Diego Unified Port District Code, Article 10

Port Code Article 10, *District Stormwater Management and Discharge Control Ordinance*, prohibits the deposit or discharge of any chemicals or waste to the tidelands or San Diego Bay and makes it unlawful to discharge pollutants directly into non-stormwater or indirectly into the stormwater conveyance system. Article 10 also requires the implementation of BMPs, stormwater plans, and other measures, as appropriate to control the discharge of pollution to tideland or receiving waters. Where enforcement is required to maintain compliance, the Port will use its enforcement authority established by Article 10. The article enables the Port, including Port inspectors, to prohibit discharges and require BMPs so that discharges on tidelands do not cause or contribute to water quality problems. Article 10 establishes enforcement procedures to ensure that responsible dischargers are held accountable for their contributions and/or flows.

The proposed project would be required to comply with Port Code Article 10.

San Diego Harbor Safety Plan

The *San Diego Harbor Safety Plan* (San Diego Harbor Safety Committee 2024) is designed to provide mariners using the waters of San Diego Bay an up-to-date guide to critical navigation issues that will enhance vessel safety, with the ultimate goal of pollution prevention and protection of the region's valuable resources. This plan has been developed by the San Diego Harbor Safety Committee as mandated in the *California Oil Spill Prevention and Response Act of 1990* (per *Government Code* Section 8574.1 et seq.). The goals of the act are to improve the prevention, removal, abatement, response, containment, clean up, and mitigation of oil spills in the marine waters of California. The act and its implementing regulations (as codified in 14 CCR Sections 800–802) created harbor safety committees for the major harbors of California to "plan for the safe navigation and operation of tankers, barges, and other vessels within each harbor" by preparing "a harbor safety plan, encompassing all vessel traffic within the harbor."

The proposed project would be required to comply with 14 CCR Sections 800–802 as specified in the *San Diego Harbor Safety Plan* (San Diego Harbor Safety Committee 2024).

3.8.3 Thresholds of Significance

The proposed project would result in a significant impact on hydrology and water quality if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
2. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of

impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

3. Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
4. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Based on the *Initial Study* prepared for the proposed project (Appendix A), there is no potential for direct or indirect impacts on groundwater resources because the proposed project would be constructed and operated over waters of the San Diego Bay, all stormwater collected on the FDD would be discharged to the sanitary sewer system, and all landside activities would occur within existing facilities and maintain existing groundwater recharge conditions. Therefore, no further analysis of whether the proposed project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin is warranted within this EIR. Similarly, no further analysis is warranted of the project's potential to increase erosion or siltation on- or off-site, the potential to increase flooding onsite, or to impede or redirect flood flows.

3.8.4 Impact Analysis

This section provides an environmental impact analysis using the thresholds of significance described in preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Measures incorporated into the proposed project as discussed in Section 2.5.4 and listed in Table 2-1 include those that would avoid or minimize impacts on water quality. These measures are considered part of the proposed project in the following impact analyses.

Threshold 1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Impact Discussion

Construction

The construction activities identified in Section 2.5 could generate pollutants that could be captured in stormwater runoff, which could cause adverse effects on water quality. Contractor mobilization, pre-construction work, including pre-construction surveys, construction staging, stockpiling activities, setting up trailers, and mobilizing equipment and materials to staging areas could all bring new materials to the site, resulting in exposure to rainfall. Maintenance and fueling activities of landside equipment could generate wastes and spills of fuels, oils/grease, and trash and debris which could be exposed to stormwater. Construction of the mooring dolphin piers and wharf could involve large quantities of false work and concrete work over water waters of San Diego Bay, with the potential to generate concrete wastes and debris. Installation of steel H piles, construction of the concrete dolphin piers, and installation of the FDD is expected to be completed within 8 weeks. These activities could mobilize sediment in

the harbor. Impacts on marine water quality, such as increased turbidity, decreased light penetration, pH changes, and decreased dissolved oxygen, could occur during construction because of the use of barge-mounted construction equipment (overwater shading), concrete pouring for access structures (pH changes), and pile driving (localized, short-term disturbances of bottom sediments).

Pile driving would disturb the Bay bottom, which could potentially spread contaminants into the water if they are present in the sediment. The SAPR findings are that contaminants were generally found in the shallower Recent Bay Deposits, and that deeper Bay Formation and Bay Point Formation do not have substantial anthropogenic contamination. Since the time that the SAPR was conducted, dredging has subsequently removed the Recent Bay Deposits from the project footprint. In-water construction activities such as pile driving would occur only within the dredged area and therefore would directly affect only the deeper formations that do not have substantial contamination. Therefore, dispersion of substantial contaminants into the water from sediment disturbance would not occur. In addition, use of silt curtains in the water during construction would contain the spread of sediments in the water.

Discharge of pollutants in construction stormwater would be minimized by the project measures in Section 2.5.4, which include mandatory compliance with the regulatory requirements, avoidance and minimization measures, and permit conditions regulating construction stormwater. Austal USA would develop, implement, and maintain a construction SWPPP, which would minimize non-stormwater discharges. The proposed project would minimize adverse effects on water quality by ensuring that construction stormwater discharges would not cause further degradation or interfere with the improvement of the water quality in the San Diego Bay. Potential water quality impacts would be less than significant.

Operations

Operations and maintenance activities identified in Section 2.5 could generate various pollutants with the potential to cause adverse water quality impacts. For example, FDD vessel repair and maintenance activities such as hull cleaning with abrasive blasting and anti-fouling paint removals could result in blast and paint debris. Mechanical, electrical, and sheet metal work and maintenance could generate waste materials and debris, including metal dust, oils and grease, metal wastes, lubricants, and other wastes. Pedestrian vehicle traffic access and parking activities could generate pollutants characteristic of transportation and public facilities such as trash and debris, oils and grease, and metal dust. North and South Pier activities could generate pollutants typical of vessel operations, including oils and grease, oily sheens, metals, and dust and debris. Hazardous materials use and waste disposal activities, including the maintenance of emergency systems could generate oils and grease, lubricants, paints, solvents, metals, trash and debris, used oil, oily wastewater, and other organic compounds and chemicals. Without avoidance and minimization measures required by compliance with existing regulatory permits, these pollutants could be captured in wastewater or stormwater runoff and be discharged directly to San Diego Bay

Ballast water discharge and FDD evolutions could stir up surficial sediments in and near the project site which would cause turbidity. As shallow sediments adjacent to the project site may contain various contaminants in surficial layers, including mercury, PAHs, and PCBs, any

mobilization of sediment during operations could increase concentrations of these constituents in the waters of San Diego Bay. The magnitude and location of these impacts would be dependent on the amount of sediment that is mobilized; however, disturbance of sediments adjacent to the project footprint are expected to be minimal due to the slow speed of FDD evolutions and would be largely confined to the project footprint which does not contain surficial layers of sediment where most contaminants occur.

Discharge of pollutants in wastewater and stormwater would be minimized by implementation of the project measures in Section 2.5.4, which include mandatory compliance with the requirements and permit conditions regulating operational discharges. In addition, the proposed project would include operational features that reduce or avoid generating pollutants during operations:

- Operations and maintenance activities would comply with the Industrial SWPPP which would identify source-control, structural and non-structural BMPs that would be necessary to minimize discharges of pollutants in wastewater and stormwater.
- Coverage under the VGP permit has been obtained by Austal USA for operational filling and discharging of water from ballast tanks of the FDD.
- The FDD has been designed to eliminate all overboard discharges associated with the FDD operations. The FDD includes a stormwater retention system to capture storm water and prevent storm water runoff. Storm water and water from deck washing would be collected and discharged to the sanitary sewer. No water collected on the FDD would run off into or be discharged to the Bay where it could affect water quality.
- Activities such as blasting and coating operations would be conducted within full enclosures which encapsulate the areas where these activities are being conducted to capture and contain overspray, dust, and debris, preventing them from spreading into the adjacent water or land areas. The enclosures would be carefully broken down after completion of the operations to prevent any residual from spreading. The spent blast media would be collected and properly recycled/disposed.
- Operation-related trash and debris would be controlled and be transported to appropriate municipal disposal facilities.
- Dry-docking evolutions (that is, lowering and raising the FDD) are slow and would not substantially disturb underlying sediments. Ballast water pumps would be powered from existing landside electrical power supply and operated in compliance with the existing Vessel General Permit (VGP) requirements. Sediment resuspension would be minimal.
- Accidental releases of contaminants such as fuels, oils, chemicals, and debris from vessels and equipment would be minimized by implementation of the SPCC Plan.
- Installation of a boom/silt curtain around the working area would control debris, and minimize the dispersion of sediment, turbidity, and water quality contaminants associated with sediment.

Project measures discussed in Section 2.5.4 would include coverage under the various NPDES permits, as well as implementation of avoidance and minimization measures prescribed by the Navy EA (NAVFAC SW 202b). These measures would minimize or avoid non-stormwater

discharges during operations and would minimize the dispersion of water quality contaminants. Therefore, operations and maintenance would not violate water quality standards or WDRs nor substantially degrade surface or groundwater quality; and impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 2: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Impact Discussion

Construction

Construction activities would occur primarily over waters of the San Diego Bay or in previously developed impervious areas with existing storm drainage facilities. Therefore, construction would not alter the existing drainage patterns of the site, increase impervious surface areas, or alter any existing stream or river.

Discharge of pollutants in construction stormwater would be minimized by the project measures in Section 2.5.4, which include mandatory compliance with the regulatory requirements, avoidance and minimization measures, and permit conditions regulating construction stormwater. These project measures would minimize new pollutant sources. Potential impacts on existing drainage patterns, storm drainage facilities, and new sources of polluted runoff would be less than significant.

Operations

Operations and maintenance activities would occur primarily over waters of the San Diego Bay or in previously developed impervious areas with existing storm drainage facilities. Therefore, the proposed project would not alter the existing drainage patterns of the site, increase impervious surface areas, or alter any existing stream or river.

Discharge of pollutants in wastewater and stormwater would be minimized by implementation of the project measures in Section 2.5.4, which include mandatory compliance with the requirements and permit conditions regulating operational discharges. These project measures would minimize new pollutant sources. In addition, the FDD includes a stormwater retention system to capture stormwater and prevent stormwater runoff. Any non-oily rainwater that collects in the FDD and vessel and deck wash-down water would be collected and discharged to the sewer system under Austal USA's existing Industrial User Permit and so would not discharge

polluted runoff into surface waters. Potential impacts on existing drainage patterns, storm drainage facilities, and new sources of polluted runoff would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 3: Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Impact Discussion

Construction/Operations

The project site is within Flood Zone VE and is subject to flooding during the 100-year storm event (FEMA 2019). The proposed facility is also within a tsunami hazard area, as delineated on the Tsunami Hazard Map in the *National City General Plan* (National City 2011b). Construction, operations and maintenance would occur over waters of the San Diego Bay and use existing facilities on adjacent land, which could be susceptible to seiches.

As the FDD location is in a protected harbor, impacts from seiche and tsunami on a floating facility are expected to be minor. When the FDD is in use, it would float on the surface of the water and could not be inundated by floods, tsunamis, or seiches. While hazardous materials would be used during operations and maintenance activities at the North and South Piers, they would be stored safely in landside storage facilities. When the FDD is not in use, no hazardous materials would be in use or stored on it and so there would be no risk of release of pollutants. Impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 4: Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impact Discussion

Construction

Construction activities could cause waste discharges from the site which could cause adverse effects on water quality, violate water quality objectives, or harm the beneficial uses of the San Diego Bay. These construction site non-stormwater discharges, described above in Section 3.8.5.1, could conflict with implementation of the San Diego RWQCB's Basin Plan or the San Diego Port's Operations and Management Plan.

Discharge of pollutants in construction stormwater would be minimized by implementation of the project measures in Section 2.5.4, which include mandatory compliance with the regulatory requirements, avoidance and minimization measures, and permit conditions regulating construction stormwater. Austal USA would develop, implement, and maintain a construction SWPPP, which would minimize non-stormwater discharges. Construction would minimize adverse effects on water quality and would not violate water quality objectives or harm beneficial uses of the San Diego Bay. Therefore, the proposed project would not conflict with any water quality control plan or sustainable groundwater management plan; and impacts would be less than significant.

Operations

Operations and maintenance activities could cause waste discharges from the site which could cause adverse effects on water quality, violate water quality objectives, or harm the beneficial uses of the San Diego Bay. These waste discharges, described above in Section 3.8.5.1, could conflict with implementation of the San Diego RWQCB's Basin Plan or the San Diego Port's Operations and Management Plan.

Discharge of pollutants in wastewater and stormwater would be minimized by implementation of the project measures in Section 2.5.4, which include mandatory compliance with the requirements and permit conditions regulating operational discharges. In addition, as discussed in Section 3.8.5.1 above, the proposed project is designed to accommodate operational features that minimize pollutants in wastewater and stormwater during operations and maintenance.

Compliance with the regulatory requirements in Section 2.5.4 would include coverage under the various NPDES permits, as well as implementation of avoidance and minimization measures prescribed by the Navy EA (NAVFAC SW 202b). Operations and maintenance would minimize adverse effects on water quality and would not violate water quality objectives or harm beneficial uses of the San Diego Bay. Therefore, the proposed project would not conflict with any water quality control plan or sustainable groundwater management plan; and impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

3.9 Noise

3.9.1 Environmental Setting

Current operations at the Austal USA operations building include minor metal fabrication to support vessels at NBSD. Ship components are brought onsite from NBSD for activities such as aluminum welding, grinding, and painting, and are returned when work is complete. Current operations at the South Pier also include vessel repair and maintenance activities.

The Austal USA facility is surrounded by Navy- and Port-owned property that support uses such as ship berthing, warehouses, boat storage, parking lots, a fuel tank farm, a truck stop, and railroads. These adjacent Navy and Port land uses are not considered noise-sensitive land uses. The closest noise-sensitive land uses to the proposed project site include three single-family residences, a hotel, a church, a school, and a public park. Three single-family residences are located approximately 2,600 feet from the project site at the northeast corner of W 22nd Street and Cleveland Avenue, directly adjacent to the southbound I-5 travel lanes. Also located approximately 2,300 feet from the project site is the Best Western Plus Marina Gateway Hotel at 800 Bay Marina Drive. The residential receivers located at W 22nd Street and Cleveland Avenue and the Best Western Hotel are the only noise-sensitive receivers located to the west I-5. Predominant noise sources at these locations are a combination of activities from the Port and traffic noise from the I-5. Distances to other noise-sensitive land uses are provided in Table 3.9-1. All the other land uses are located to the east of the I-5 freeway, in which traffic noise is the controlling noise source. All other noise-sensitive uses are located at greater distances and/or shielded from construction and operation activity by buildings immediately surrounding the project site and would experience lower noise levels associated with the project. Therefore, additional sensitive receptors beyond those identified below are not evaluated. These noise-sensitive receivers are shown on Figure 3.9-1.

Table 3.9-1. Distance to Nearest Sensitive Land Uses

Land Use	Distance/Direction
Residential (W 22nd St & Cleveland)	2,600 feet east
School (National City Adult School[a])	3,300 feet east
Church (St. Anthony of Padua Catholic Church[a])	3,400 feet northeast
Hotel (Best Western Plus Marina Gateway Hotel)	2,400 feet east
Park (Paradise Creek Educational Park[a])	4,000 feet north

Note: Distances are approximate.

[a] Sensitive receiver is located on the other side (to the east) of I-5.

Figure 3.9-1. Sensitive Noise Receiver Locations

Figure 3.9-1
Sensitive Noise Receivers Locations
Austal USA
San Diego Shipyard
National City, California

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3.9.2 Regulatory Setting

3.9.2.1 Federal

Under the authority of the *Noise Control Act of 1972*, the EPA established noise emission criteria and published testing methods in 40 CFR Parts 201 through 205 that apply to some transportation equipment (for example, interstate rail carriers, medium trucks, and heavy trucks) and construction equipment (EPA 1972). In 1974, the EPA issued guidance levels for the protection of public health and welfare in residential areas of an outdoor L_{dn} of 55 dBA and an indoor L_{dn} of 45 dBA (EPA 1974). These guidance levels are not considered as standards or regulations and were developed without consideration of technical or economic feasibility. As a result, there are no federal noise standards that directly regulate construction or operational noise of the proposed project.

3.9.2.2 State

California does not have statewide standards for environmental noise, but the California Department of Health Services has established guidelines for evaluating the compatibility of various land uses as a function of community noise exposure. The purpose of these guidelines is to maintain acceptable noise levels in a community setting for different land use types. Noise compatibility by different land use types is categorized into four general levels: “normally acceptable,” “conditionally acceptable,” “normally unacceptable,” and “clearly unacceptable.” For instance, a noise environment ranging from 50 dBA CNEL to 65 dBA CNEL is considered to be “normally acceptable” for multi-family residential uses, while a noise environment of 75 dBA CNEL or above for multi-family residential uses is considered to be “clearly unacceptable.” In addition, *California Government Code* Section 65302(f) requires each county and city in the state to prepare and adopt a comprehensive long-range General Plan for its physical development, with Section 65302(g) requiring a Noise Element to be included in the General Plan. The Noise Element must: 1) identify and appraise noise problems in the community, 2) recognize Office of Noise Control guidelines, and 3) analyze and quantify current and projected noise levels.

3.9.2.3 Local

National City Code of Ordinances – Title 12 Noise Control

Title 12, Noise Control, of the National City Code of Ordinances provides noise limits for exterior, interior, and construction for receiving land uses within the jurisdiction, these noise limits are presented in Tables 3.9-2 through 3.9-4.

Table 3.9-2. National City Exterior Environment Noise Limits[a.b.c]

Receiving Land Use Category	Allowable Noise Level (dBA) 10 p.m. to 7 a.m.	Allowable Noise Level (dBA) 7 a.m. to 10 p.m.
All residential (less than nine dwelling units)	45	55

Table 3.9-2. National City Exterior Environment Noise Limits[a.b.c]

Receiving Land Use Category	Allowable Noise Level (dBA) 10 p.m. to 7 a.m.	Allowable Noise Level (dBA) 7 a.m. to 10 p.m.
Multi-unit residential (Consisting of nine dwelling units or more and Public Space)	50	60
Commercial	60	65
Light Industry (Industry east of I-5)	70	70
Heavy Industry (Industry west of I-5)	80	80

Source: National City 2024

[a] Environmental Noise—shall be measured as Leq in any hour (Leq[h]).

[b] Nuisance Noise—shall be measured as a decibel level not to be exceeded at any time.

[c] Except when other hours are specified in Chapter 12.10.

Table 3.9-3. National City Maximum Interior Noise Limits

Type of Land Use	Time Interval	Allowable Noise Level (dBA) No time	Allowable Noise Level (dBA) 1 min in 1 hour	Allowable Noise Level (dBA) 5 or more min in 1 hour
Multi-family Residential (Consisting of two or more units)	10 p.m. to 7 a.m.	> 45	<= 40	<= 35
Multi-family Residential (Consisting of two or more units)	7 a.m. to 10 p.m.	> 55	<= 50	<= 45

Source: National City 2024

> = greater than
<= = less than or equal to

Table 3.9-4. National City Construction Noise Limits

Time of Day	Type I Areas Residential	Type II Areas Semi-Residential/ Commercial
Mobile Equipment Daily, except Sundays and legal holidays, between 7 a.m. and 7 p.m.	75 dBA	85 dBA

Table 3.9-4. National City Construction Noise Limits

Time of Day	Type I Areas Residential	Type II Areas Semi-Residential/ Commercial
Stationary Equipment Daily, except Sundays and legal holidays, between 7 a.m. and 7 p.m.	60 dBA	70 dBA

Source: National City 2024

Mobile Equipment = Maximum noise levels for nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment.

Stationary Equipment = Maximum noise levels for repetitively scheduled and relatively long-term operation (periods of 10 days or more) of stationary equipment.

Title 12 (Noise Control) of the National City Code of Ordinances also contains requirements for potential vibration impacts within the project area. According to Section 12.10.180 (Vibration) it is unlawful to operate or permit the operation of any device that creates a vibration which exceeds the vibration perception threshold at or beyond the property boundary of the source originates on private property, or at a distance of 150 feet or more from the source if originating from a location on a public space or public right-of-way.

3.9.3 Thresholds of Significance

The proposed project would result in a significant impact on noise if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
2. Would the project result in generation of excessive ground-borne vibration or ground-borne noise levels?

As identified in the *Initial Study* prepared for the proposed project (Appendix A), the proposed project site is within the airspace protection boundary and the airport influence area of Naval Air Station North Island; however, the site is well outside the 65-dBA CNEL contours associated with the naval air station. Therefore, construction or operation of the proposed project would not expose people residing or working in the project area to excessive noise levels and no further analysis of whether the proposed project would expose people residing or working in the project area to excessive noise levels is warranted within this EIR.

3.9.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Threshold 1: Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Impact Discussion

Construction

The proposed project is located in an industrial area where noise generation from large freight vehicles, heavy equipment, and containerized and bulk cargo transloading activities currently occur. During construction, a temporary noise increase from the use of pile drivers and vibratory hammers is expected. Construction of the proposed project would take up to 8 weeks. Construction noise generated by construction activity for the proposed project would be intermittent, and its intensity would vary.

Construction activities associated with wharf construction, mooring dolphin pier installation and FDD placement would generally occur on weekdays during daylight hours. Construction activities associated with mooring dolphins, wharf construction and placement would require the use of specialized overwater construction equipment such as floating cranes, barges, tugboats, and hydraulic vibrators and/or diesel-powered impact hammers, all of which would create noise. The tugboat used to move and position the crane barge and during placement of the dry dock would also generate some noise, but the noise would be consistent with the ambient noise environment characteristic of the waterfront.

It is anticipated that pile driving would be the loudest construction activity and would last for approximately 2 of 8 weeks. The sound level of the impact pile driver during construction of the mooring dolphin pier installation and wharf construction would dominate and would almost exclusively determine the total sound level emanating from the project site during construction. While the maximum sound level of a piece of construction equipment may vary considerably depending on factors such as maintenance, age, activity, and load, most impact pile drivers generally produce a peak noise level of approximately 114.4 dB at a distance of 50 feet (NAVFAC SW 2018). Thus, when the impact pile driver is operating, it would be the predominant noise source, and it would determine the maximum noise levels in the project vicinity. Noise levels decrease with increasing distance from the source.

Under normal conditions when sound propagation is unhindered by intervening terrain or structures, noise decreases approximately 6 dB with each doubling of the distance. This means that at a distance of approximately 100 feet from the pile driver location, the peak noise level would be approximately 108.4 dBA; at 200 feet, it would be 102.4 dBA; and so on. At a distance of 6,400 feet or about 1.2 miles, the peak noise level would be reduced to approximately 73 dB. As previously discussed, three single-family residences, a hotel, a church, a school, and a public park located in National City were identified as the nearest sensitive receptors. These sensitive receptors reflect representative sensitive land uses in the immediate vicinity of the project site and are shown in Table 3.9-5. Other sensitive receptors in the vicinity include Mariner Park, Balboa Elementary School, and the Naval Station San Diego Historic District; however, these receptors are located farther from the project site. Based on noise attenuation from distance

alone, intermittent, exterior noise levels associated with impact pile driver use would be approximately 81.4 dB L_{eq} at the nearest sensitive receptor. Additionally, with the intervening structures located between and blocking the line-of-sight between the project site and the nearest sensitive receptor, noise levels would be further reduced by between 5 and 10 dB (USDOT and Federal Transit Administration 2006). Therefore, construction noise would not result in intermittent noise levels above 85 dBA for mobile equipment for semi-residential/commercial land uses. Additionally, construction noise-related impacts would not generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan noise ordinance, or applicable standards of other agencies and construction noise-related impacts would be less than significant.

Table 3.9-5. Construction Noise Levels at Representative Receiver Points in National City

Sensitive Receiver	Distance (feet)	Construction-Related Noise (dB)
Residential (W 22nd St & Cleveland)	2,600	80.65
School (National City Adult School[a])	3,300	78.21
Church (St. Anthony of Padua Catholic Church[a])	3,400	78.03
Hotel (Best Western Plus Marina Gateway Hotel)	2,300	81.4
Park (Paradise Creek Educational Park[a])	4,000	76.9

Source: National City 2024

Note: Distances are approximate.

[a] Sensitive receiver is located on the other side (to the east) of I-5.

Operation

Operation of the proposed project would include noise-generating activities such as vessel repair and maintenance activities and vehicular traffic.

Vessel repair and maintenance activities at the proposed FDD may include abrasive blasting, hydro blasting, metal grinding, painting, tank cleaning, removal of bilge and ballast water, removal of anti-fouling paint, sheet metal work, electrical work, mechanical repair, engine repair, hull repair, shaft repair, propeller and rudder repair, repair/replacement of sea valves and fittings below the waterline, and sewage disposal. These activities would occur within the FDD and some of these activities would also occur at the South Pier or in other existing work areas at the Austal USA facility. Operation of the proposed project would require up to 130 new workers to be on site during vessel availabilities (that is, when a vessel is in the FDD) and would require an estimated 12 local truck deliveries per year. Ships would be in for work periods from 1 to 6 months in duration. On-site workers would return to the current level of 115 between vessel availabilities. Noise generated by these activities would be consistent with the ambient noise environment of an industrial waterfront area. As such, given the context of the existing noise environment, operation of the proposed project would result in a less than significant

noise impact and would not result in any substantial temporary or permanent increases in ambient noise.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 2: Would the project result in generation of excessive ground-borne vibration or ground-borne noise levels?

Impact Discussion

Construction

The project site is surrounded by Navy- and Port-owned property that support industrial uses such as ship berthing, warehouses, boat storage, parking lots, a fuel tank farm, a truck stop, and railroads. These adjacent Navy and Port land uses would not be considered noise or vibration sensitive land uses. Construction activities associated with mooring dolphins, wharf construction and placement would require the use of specialized overwater construction equipment such as floating cranes, barges, tugboats, and hydraulic vibrators and/or diesel-powered impact hammers. Pile installation associated with the mooring dolphin pier installation and wharf construction has the potential to result in ground-borne vibration and noise. Pile installation would generally occur on weekdays during daylight hours. Pile installation along the waterfront is a typical activity that has previously occurred within the project area.

Installation of piles would be completed over 2 weeks and no substantial excessive ground-borne vibration or ground-borne noise is anticipated with pile installations. FDD placement involves several hours to float the FDD into place and securing it to the mooring dolphins. FDD placement has no potential to result in excessive ground-borne noise or vibration. There for construction would not generate excessive ground-borne vibration or noise and impacts would be less than significant.

Operations

Operation of the FDD would occur on the water and would not cause ground-borne vibration. Operational noise levels of the FDD would be consistent with the ambient noise levels associated with the surrounding industrial uses. Therefore, the operation of the FDD and wharf would not generate excessive ground-borne vibration or noise, and impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

3.10 Population and Housing

3.10.1 Environmental Setting

The proposed project is located within the existing Austal USA facility on Navy-owned property in waters of the San Diego Bay and on adjacent upland areas in the City of National City. The site is located within an area that is highly urbanized and developed for military and marine-related industrial and ship berthing uses. Adjacent areas are heavily industrial and include Navy- and Port-owned property. Land use within the project area is identified for Navy Ship Berthing and adjacent land area as 24th Street Corridor for marine-related, specialized berthing, and terminal berthing. Current and future uses include military ship berthing and industrial production for shipyard or other marine industrial use (National City 2011b; Port 2024a). There is no residential use within the proposed project site or adjacent areas and no housing currently exists on the project site.

SANDAG's Series 15 Population and Housing Estimates provide historic and forecasted population and housing trends in the San Diego region (SANDAG 2024a). In 2022, the San Diego region had approximately 3.33 million residents. Between 2022 and 2050, it is projected that the region will grow to a population of approximately 3.40 million residents, an increase of about 3%. National City had a population of 61,471 in 2022, which is forecasted to increase slightly to 61,589 by 2050. SANDAG forecasts that the region will add 202,819 housing units between 2022 and 2050, an increase of 16.4%. In National City, it is forecasted that 2,492 housing units will be added, which is an increase of 14% within the City.

3.10.2 Regulatory Setting

This section identifies applicable federal, state, and local legislation, regulations, policies, and plans applicable to population and housing.

3.10.2.1 Federal

There are no applicable federal regulations related to population and housing.

3.10.2.2 State

California Planning and Zoning Law

California Government Code Sections 65000–66499.58, also known as California Planning and Zoning Law, provides the legal framework governing local planning efforts for California counties and cities. The law requires counties and cities to adopt a comprehensive, long-term general plan that includes accommodations for State of California-projected population growth. This provides a blueprint for future development that can be implemented through City- and County-specific zoning ordinances specifying allowable uses in distinct areas.

Regional Housing Needs Allocation

The Regional Housing Needs Allocation (RHNA) is a California-mandated planning process that quantifies existing and future housing needs within each jurisdiction and requires local governments to plan for enough housing to meet the region's need. The RHNA is updated on a

cyclical basis by the California Department of Housing and Community Development in coordination with each region's council of governments. SANDAG is responsible for overseeing the RHNA process for the San Diego region.

California Coastal Act

The California Coastal Act of 1976 (PRC Section 30000 et seq.) governs land use planning for the entire coastal zone of California. California Coastal Act Chapter 8, Article 3, *Implementation; Master Plan* establishes a framework for ports to develop a PMP, which designates land and water uses and enables issuance of individual coastal development permits within a jurisdiction.

3.10.2.3 Local

SANDAG

SANDAG is the metropolitan planning organization and council of governments for the San Diego region, and is composed of 18 cities, including National City and San Diego County. SANDAG develops long-term regional plans, provides population and housing forecasts, and oversees the RHNA process for the region.

Regional Housing Needs Assessment

SANDAG is responsible for overseeing the state-mandated RHNA process for the San Diego region to identify the need for housing and guide land use planning by addressing existing and future housing needs resulting from population, employment, and household growth. The *6th Cycle Regional Housing Needs Assessment Plan* was adopted on July 10, 2020, and allocates a share of housing needs to each jurisdiction in the San Diego region based on four income categories (SANDAG 2020). Each jurisdiction must then update the Housing Element of their general plans to accommodate the RHNA determination.

2021 Regional Plan

SANDAG's *Final 2021 Regional Plan* combines the Regional Transportation Plan, Sustainable Communities Strategy, and Regional Comprehensive Plan (SANDAG 2021). The plan is a long-range planning tool that guides regional transportation planning but also integrates land use and housing into the planning process to reduce regional GHG emissions from cars and light trucks.

Port Master Plan

The PMP is the guiding land use policy document for all areas under the Port's jurisdiction and governs the use, design, and improvement of lands within the Port. The PMP establishes specific goals, objectives, policies, and standards to direct future development to protect and promote coastal-dependent uses, protect the environment, and provide and ensure coastal access around San Diego Bay.

National City General Plan Housing Element

The *6th Cycle Housing Element 2021–2029* (National City 2021) of the *National City General Plan* (National City 2011b) assesses current and future housing needs and constraints, and

establishes goals, policies, and programs to address these housing needs for the 8-year planning period from April 2021 through April 2029. The *6th Cycle Housing Element 2021–2029* provides an up-to-date inventory of sites available for residential development and makes recommendations for how National City will improve its housing development process and increase its share of equitable, affordable, and accessible housing options for all communities.

3.10.3 Thresholds of Significance

The proposed project would result in a significant impact on population and housing if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Based on the *Initial Study* (Appendix A), it was determined that, because construction and operation of the proposed project would not necessitate displacement of people or housing nor necessitate construction of any replacement housing, no further analysis of whether the proposed project would displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere is warranted in this EIR.

3.10.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Threshold 1: Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Impact Discussion

Construction/Operations

The proposed project involves placement of an FDD, wharf construction, and installation of associated mooring dolphin piers within the Austal USA facility. The proposed project does not involve providing new housing or new businesses that would directly induce population growth. Additionally, the proposed project does not include extension or expansion of new roads or other major infrastructure that would indirectly induce population growth. Construction of the project would require up to 20 construction workers each day for approximately 8 weeks to complete wharf construction, mooring dolphin pier installation, and FDD placement. The number of construction workers would decrease over time as activities were completed. Once fully operational, the proposed project would require up to 130 new workers to be onsite during vessel availabilities (that is, when a vessel is in the FDD) and on-site employment would return to the current level of approximately 115 workers between vessel availabilities. It is anticipated that construction workers and FDD employees would be from the local area. FDD workers would be required only during vessel availabilities and would not be full-time positions. The total number of new FDD employees is considered negligible on both a local and regional

scale and would not cause population growth in the area. Therefore, project impacts related to direct or indirect unplanned population growth due to construction (20 construction workers for approximately 8 weeks) and operation (130 FDD employees during vessel availabilities) would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

3.11 Public Services

3.11.1 Environmental Setting

This section describes the existing public services that could be adversely affected by the proposed project.

3.11.1.1 Fire Protection and Emergency Response

The project site is located in the City of National City in an area along San Diego Bay that is developed for Port-related and military uses and is served by the San Diego Harbor Police Department and the National City Fire Department. The police department includes 140 sworn officers providing law enforcement, marine firefighting, and emergency response services within the Port's planning districts, including Planning District 5 National City Bayfront. The police department's jurisdiction includes San Diego Bay, the San Diego International Airport, and the tidelands in the five neighboring cities: Chula Vista, Coronado, Imperial Beach, National City, and San Diego.

The National City Fire Department serves an area of approximately 9 square miles and 63,000 residents, while also protecting the Lower Sweetwater Fire Protection District, the Port, and NBSD. The National City Fire Department contracts with a private ambulance provider to provide emergency medical services to the project area. The National City Fire Department also provides a paramedic on both Engine 34 and Engine 31, in addition to paramedics provided by emergency medical services. The project site is within the service area of National City Fire Department Station 34 located at 343 East 16th Street, which is approximately 1.5 miles away.

3.11.1.2 Police Protection

The San Diego Harbor Police Department provides the project site with law enforcement, marine firefighting, and emergency response services as the site is within the Port's Planning District 5 National City Bayfront. Police protection in areas adjacent to project that are not part of the Port is provided by the National City Police Department, which employs 92 officers and 43 professional staff members. The closest National City Police Department police station in the vicinity of the project is located at 1200 National City Boulevard (National City 2011b).

3.11.1.3 Schools

National City's public schools are administered by the National School District, Sweetwater High School District, and Chula Vista Elementary School District. Kimball Elementary School (at 302 West 18th Street in National City) and National City Adult School (17 Mile of Cars Way in National City) are the only schools within 1 mile of the project site.

3.11.1.4 Parks and Other Public Facilities

Two public parks are located within 1 mile of the project site: Pepper Park at 3299 Tidelands Avenue in National City, approximately 0.8 mile south of the project site is operated by the Port, and Paradise Creek Park at Coolidge Avenue and W 19th Street, approximately 0.8 mile east-northeast of the project site is operated by the City of National City.

3.11.2 Regulatory Setting

This section identifies applicable federal, state, and local legislation, regulations, policies, and plans applicable to public services.

3.11.2.1 Federal

Occupational Safety and Health Standards

29 CFR Part 1910, *Occupational Safety and Health Standards* establishes a collection of federal standards for safety and health that apply to most US workplaces. These include minimum standards for fire suppression, emergency medical services, and exit routes and emergency planning.

3.11.2.2 State

Standardized Emergency Management System

19 CCR Section 2401 establishes the Standardized Emergency Management System, which is intended to standardize the response to emergencies involving multiple jurisdictions or multiple agencies. The Standardized Emergency Management System provides the mechanism by which local governments can request state assistance during a disaster, and noncompliance with the system may result in the state withholding disaster relief from a non-complying jurisdiction.

California Building Code

The CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. Part 9 of the CBC (24 CCR Part 9), also referred to as the California Fire Code, provides the building standards related to fire safety and requires all new construction including new buildings, additions, alterations, and nonresidential repairs to adhere to the fire safety building standards.

3.11.2.3 Local

San Diego Unified Port District Act

The San Diego *Unified Port District Act* (Port Act) (*California Harbors and Navigation Code*, Appendix 1) established the Port in 1962 to manage in trust certain tide and submerged lands in San Diego Bay. Portions of land previously part of San Diego, Chula Vista, Coronado, Imperial Beach, and National City were transferred to the Port to be used for purposes that benefit the statewide public, including commerce, navigation, fisheries, and recreation. Under the Port Act, the Port has exclusive police power over property and development subject to its jurisdiction. A PMP is also required by the Port Act. The following sections of the Port Act pertain to public services:

- Section 56, *Enactment and Enforcement of Police and Sanitary Regulations* – the Board of Port Commissioners shall make and enforce such local police and sanitary regulations relative to the construction, maintenance, operation, and use of all public services and public utilities in the district, operated in connection with or for the promotion or

accommodation of commerce, navigation, fisheries, and recreation therein as are no vested in the District.

- Section 60, *Applicability of Municipal Police, Fire and Sanitary Regulations* – in the absence of the adoption of any police, fire and sanitary regulations by the district, the police, fire and sanitary regulations of any municipal corporation whose boundaries are adjacent to or contiguous to the territorial limits of the district shall be applicable.

National City General Plan

The Land Use and Community Character Element of the *National City General Plan* (National City 2011b) is a tool to plan for and identify where future development and redevelopment should be directed and includes goals and objectives related to public facilities and services availability. The Safety Element of the National City General Plan establishes goals and policies to protect the community from risks of injury, loss of life and property, and environmental damage associated with natural and human-made hazards. The Safety Element also includes response objectives related to police and fire operations and emergency services.

3.11.3 Thresholds of Significance

The proposed project would result in a significant impact on public services if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for fire protection?
2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for police protection?

Based on the *Initial Study* (Appendix A), construction and operation of the proposed project would result in a negligible increase in local population and would not contribute to permanent population growth. Additionally, there is no potential for the proposed project to increase the demand for or require the provision of new or physically altered schools, neighborhood or regional parks, or other public facilities. Therefore, no further analysis of whether the proposed project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for schools, parks, or other public facilities is warranted in this EIR.

3.11.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Threshold 1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for fire protection?

Impact Discussion

Construction/Operations

Construction of the proposed project would require up to 20 workers per day for approximately 8 weeks. Operation of the proposed project would require approximately 130 new FDD workers during vessel availability. All workers for project construction and operation would be locally sourced from the surrounding community. Construction and operation of the proposed project would result in a negligible increase in local population growth and would not contribute to permanent population growth that could negatively affect service ratios for fire protection services. As discussed in Section 3.12, *Transportation* vehicle trips on surrounding roadways associated with construction worker and employee commutes and deliveries during operation would not contribute to substantial congestion on surrounding roadways when compared to daily Port-related traffic. Additionally, operation of the FDD would occur within a developed industrial port area and would be consistent with ongoing activities and adjacent uses. The FDD would also be equipped with its own self-contained saltwater fire suppression system, which meets Navy and local fire requirements. Construction and operation of the proposed project is not anticipated to adversely affect performance objectives or response times for fire protection services. The project would not require construction or physical alterations to fire protection facilities or new or expanded governmental facilities. Therefore, no impact would occur.

Level of Significance

No impact.

Mitigation Measures

No mitigation is required.

Threshold 2: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for police protection?

Impact Discussion

Construction/Operations

Construction of the proposed project would require up to 20 workers per day for approximately 8 weeks. Operation of the proposed project would require approximately 130 new FDD workers during vessel availability. All workers for project construction and operation would be locally sourced from the surrounding community. Construction and operation of the proposed project would result in a negligible increase in local population growth and would not contribute to permanent population growth that could negatively affect service ratios for police protection services. As discussed in Section 3.12, *Transportation*, vehicle trips on surrounding roadways associated with construction worker and employee commutes and deliveries during operation would not contribute to substantial congestion on surrounding roadways when compared to daily Port-related traffic. Additionally, operation of the FDD would occur within a developed industrial port area and would be consistent with ongoing activities and adjacent uses. Construction and operation of the proposed would not affect response times for police protection services or require the provision of new or physically altered police protection facilities. Therefore, no impacts would occur.

Level of Significance

No impacts.

Mitigation Measures

No mitigation is required.

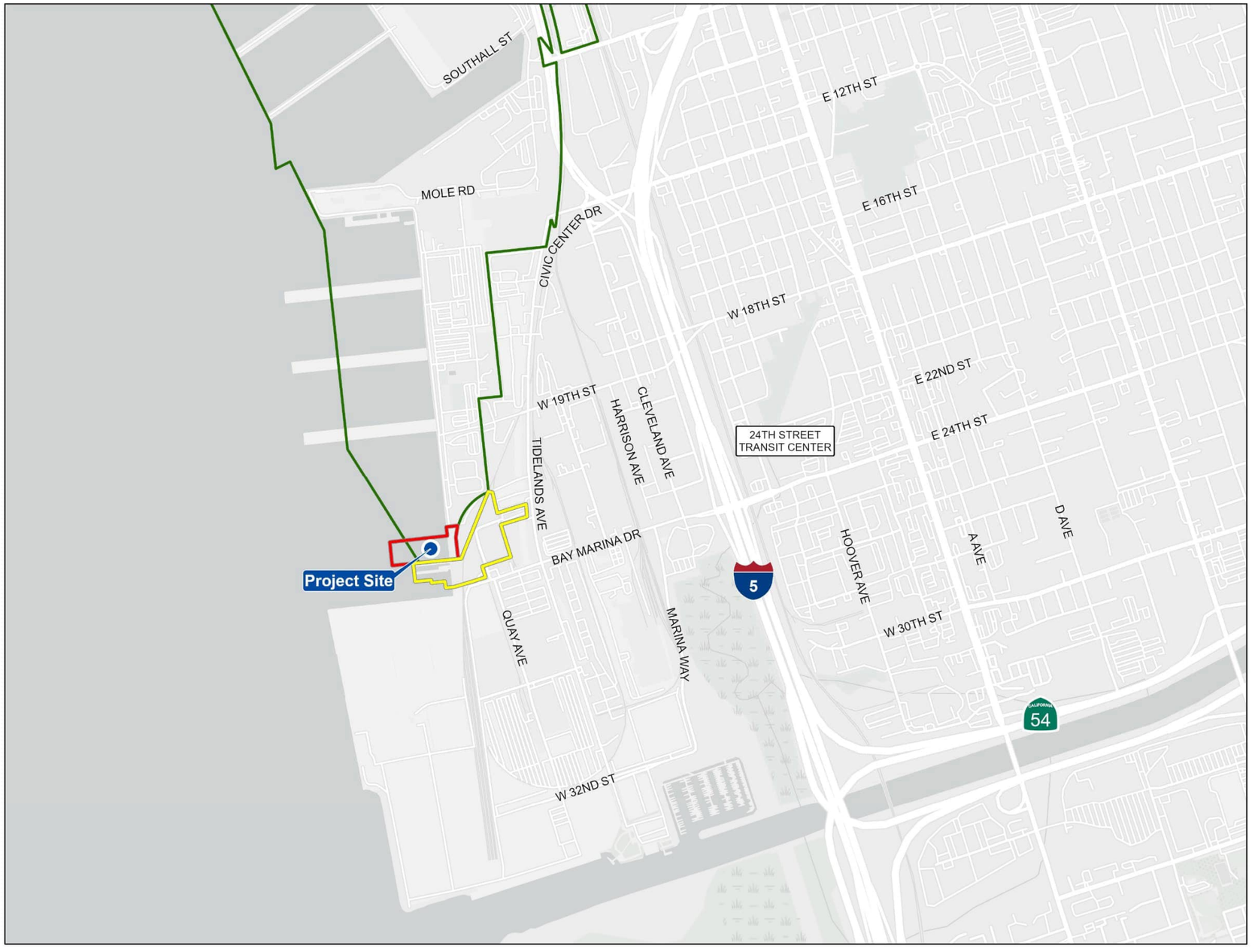
3.12 Transportation/Traffic

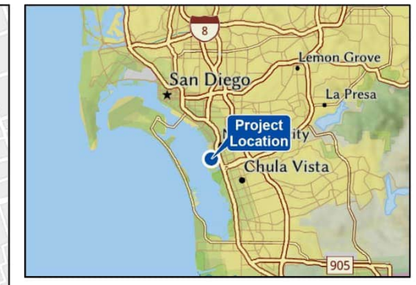
3.12.1 Environmental Setting

Access to the project site is provided via the surrounding roadway network which includes I-5, Tidelands Avenue, Cleveland Avenue, and Bay Marina Drive (Figure 12-1). Truck routes immediate to the project site are Tidelands Avenue and Bay Marina Drive. The Austal USA facility is located at 1313 Bay Marina Drive in National City. SANDAG transportation forecast information for average daily traffic shows 2,800 vehicles per average weekday along Bay Marina Drive in 2016 for the closest available segment between Tidelands Avenue and Harrison Avenue (SANDAG 2024b).

The 24th Street Transit Center is located approximately 0.65 mile north of the Austal USA Facility at 506 West 22nd Street and Wilson Avenue. The 24th Street Transit Center includes the 24th Street Station for the San Diego Trolly Blue line, as well as Metropolitan Transit System bus services for routes 13, 961, and 967. SANDAG's Bike Map (SANDAG 2024c) shows along Tidelands Avenue there is a proposed Class I bike path and existing Class II bike path. Along Bay Marina Drive west of the I-5 there is a Class II bike path between Cleveland Avenue and I-5, and a Class 3 bike path along 24th Street east of I-5 (SANDAG 2024c). There are sidewalks on both sides of Bay Marina Drive west of I-5 up to Tidelands Avenue. West of Tidelands Avenue, there is a sidewalk along the north side of Bay Marina Drive. There are no existing or proposed pedestrian paths west of I-5 (National City 2011b).

Figure 3.12-1. Transportation Setting





Legend

- Project Site
- Naval Base San Diego
- Navy Lease Area
- Port Lease Area

Data Sources:
Bureau of Transportation Statistics
San Diego County
Caltrans

0 1000 2000
Feet

Figure 3.12-1
Transportation Setting
Austal USA
San Diego Shipyard
National City, California

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3.12.2 Regulatory Setting

This section identifies applicable federal, state, and local legislation, regulations, policies, and plans applicable to transportation/traffic.

3.12.2.1 Federal

There are no applicable federal regulations related to effects on traffic and transportation.

3.12.2.2 State

CEQA, as amended, establishes environmental guidelines for the analysis and the threshold-based determinations regarding potentially significant environmental impacts. The specifically applicable significance criteria developed using guidance provided in the updated (December 2018) version of the CEQA Appendix G (14 CCR Section 15000 et seq.).

SB 743, which was codified in PRC Section 21099, required the Governor's Office of Planning and Research (OPR) to establish new CEQA Guidelines "for determining the significance of transportation impacts of projects within transit priority areas. Those criteria shall promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses." The new criteria required a move away from vehicle delay and level of service (LOS) and a move toward more multimodal concepts "that may include, but are not limited to, vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated."

In 2018, Section 15064.3 was added to CEQA Guidelines to reflect the provisions of SB 743. The section addresses both land use and transportation projects, and broadly describes the methodology, including the potential for qualitative analysis used to assess vehicle miles traveled (VMT). The overall guidance for transportation projects is that they are presumed to have a less-than-significant project impact if they reduce VMT (CEQA Guidelines Section 15064.3[b][2]). Agencies are given "broad discretion" to select the methodology for analysis, or even apply a qualitative approach.

3.12.2.3 Local

Relevant planning documents include regional transportation plans prepared by SANDAG, as well as general plans and specific plans from National City. The general plans, circulation elements and corresponding specific plans for National City provide the local regulatory framework and policies related to transportation and traffic issues.

SANDAG 2025 Regional Transportation Improvement Plan

The *SANDAG 2025 Regional Transportation Improvement Plan* (RTIP) for fiscal years 2025–2029 (SANDAG 2025) is a capital listing of all transportation projects proposed over a 6-year period for the SANDAG region. The SANDAG region encompasses San Diego County, including 18 cities. In the SANDAG region, an RTIP update is produced every other year on an odd year cycle. The RTIP is prepared to implement projects and programs listed in the RTIP and developed to comply with state and federal requirements. Projects that are anticipated to receive federal funding or are subject to a federally required action are added to the Federal Transportation

Improvement Program. These include regionally significant transportation projects where approvals from federal funding agencies are required, regardless of funding sources. County transportation commissions propose County projects from City and local submittals using current regional transportation plan policies, programs and projects as a guide. Locally prioritized project lists are forwarded to SANDAG for review. From this list, SANDAG develops the RTIP based on consistency with the current RTIP, inter-county connectivity, financial constraints, and air quality conformity satisfaction.

National City General Plan

The Circulation Element of the *National City General Plan* (National City 2011b) outlines policies organized in the following categories related to different transportation system elements: Land Use and Circulation Linkages, Mobility Framework, Regional Circulation Planning, Transportation Demand Management, Vehicular Parking, Goods Movement, Public Transit, Pedestrian Circulation, and Bikeways.

3.12.3 Thresholds of Significance

The proposed project would result in a significant impact on transportation if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
2. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?
3. Would the project result in inadequate emergency access?

Based on the *Initial Study* (Appendix A), it was determined that, because construction and operation of the proposed project would not result in any changes to geometric design features associated with National City or Port roadways, and because the project would not modify access to or within the Austal USA facility or NBSD, no further analysis of whether the proposed project would substantially increase hazards due to a geometric design feature (for example, sharp curves, or dangerous intersections) or incompatible uses (for example, farm equipment) is warranted in this EIR.

3.12.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Threshold 1: Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Impact Discussion

Construction

Construction of the proposed project is located within San Diego Bay. Adjacent areas are on the landside of the Austal USA facility. Construction activities associated with mooring dolphins, wharf construction and placement would require the use of specialized overwater construction equipment such as floating cranes, barges, tugboats, and hydraulic vibrators and/or diesel-powered impact hammers. Landside construction traffic would include construction workers commuting to the site. Construction-related traffic would arrive via the Austal USA yard entrance off Bay Marina Drive and parking would be in the Austal USA facility. An estimated 20 construction workers would likely commute via personal vehicle outside of peak-hour traffic periods (typically arriving before 6:30 a.m. and departing by 3:30 p.m.).

Construction-related trips are considered negligible because they would constitute less than 1% of the existing average daily traffic on Bay Marina Drive. Additionally, construction-related trips would be temporary, lasting for a period of approximately 8 weeks. The number of trips would decrease over time as construction activities are completed, and the number of workers would decrease. Construction of the proposed project would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts are less than significant.

Operations

The Circulation Element of the *National City General Plan* (National City 2011b) outlines policies organized in the following categories related to different transportation system elements: Land Use and Circulation Linkages, Mobility Framework, Regional Circulation Planning, Transportation Demand Management, Vehicular Parking, Goods Movement, Public Transit, Pedestrian Circulation, and Bikeways. These categories cover the full range of transportation modes, including transit, roadway, bicycle, and pedestrian facilities. No physical modifications to the existing transportation network are proposed by the project. Therefore, there would no changes to the transportation system that would conflict with the plan. The *National City General Plan* addresses the LOS criteria for intersections and roadway sections under Policy C-2.3. However, per SB 743 and subsequent CEQA Guidelines (Section 15064.3, subdivision [b]), traffic operations, as measured by LOS, should not be considered as a determination of significance. Therefore, consistent with CEQA Guidelines, LOS is not analyzed for this project. There are no other applicable transportation-related programs, plans, ordinances, or policies at the local, regional, state, or federal level. Based on this assessment, the project would generally be consistent with programs, plans, ordinances, and policies. Impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 2: Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Impact Discussion

Automobile VMT is the required CEQA transportation metric per CEQA Guidelines Section 15064.3, subdivision (b) and per elimination of auto delay/LOS for CEQA purposes statewide. National City does not currently have published VMT analysis guidelines. However, OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory) (OPR 2018) indicates that research on land use projects has shown that automobile VMT/capita at the project level should be 15% below those of existing development for "retail and other uses." There is no guidance specific to industrial uses, and particularly for marine facilities. OPR's guidance does not address the potential for VMT increases during temporary construction phases.

Construction

Over the 2-month duration of construction, approximately 20 construction workers would access the construction site each day. Project construction activities would be temporary and intermittent, so they would not result in long-term increases in vehicular trips. Because proposed construction activities are not expected to substantively increase VMT, construction of the project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Impacts are less than significant.

Operations

For permanent conditions, the Technical Advisory provides two potential metrics to consider for land use development projects when determining whether a project has a significant transportation-related impact:

- Resident VMT/Capita: Includes all vehicle-based person trips grouped and summed to the home location of individuals who are drivers or passengers on each trip. This assessment includes both home-based and non-home-based trips. The VMT for each home is then summed for all homes in a particular census tract and divided by the population of that census tract to arrive at the VMT per resident.
- Employee VMT/Capita: Includes all vehicle-based person trips grouped and summed to the work location of individuals on the trip. This assessment includes all trips, not just work-related trips. The VMT for each work location is then summed for all work locations in a particular census tract and then divided by the total number of employees of that census tract to arrive at the VMT per employee.

Given the industrial use of the proposed project site, an assessment based on employee VMT/capita is the appropriate metric. Per SANDAG's San Diego Region SB 743 maps, the daily average regional employee VMT/capita in the base year (2016) is 18.9 miles/person and would be reduced to 14.3 miles/person in 2050 (SANDAG 2024b). The San Diego Region SB 743 maps show employee VMT per capita for area around the project site to be 15.1 miles/person for the base year and would be reduced to 9.4 miles/person in 2050. With these data, the employee VMT per capita are at least 15% below the average regional VMT/capita in the base year and

2050. Given that the project's proposed land use would be similar to the existing land use in the surrounding area, the project-related VMT per capita is representative of the VMT the project would generate. Therefore, the project would not be in conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 3: Would the project result in inadequate emergency access?

Impact Discussion

Construction/Operations

Emergency access is provided via the existing street system and the San Diego Bay if there was an in-water emergency. The proposed project does not include or require changes to the existing road system and does not require any road closures during construction. In-water work would be entirely located within the proposed project area. Construction and operation of the proposed project would result in only a negligible increase in local population and would not contribute to permanent population growth. Vehicle trips on surrounding roadways associated with construction workers and Austal USA employee commutes, as well as hauling during operation, would not contribute to substantial congestion on surrounding roadways. Changes in traffic volumes would be insubstantial when compared to traffic near the project site and on adjacent roadways. As previously discussed in Section 3.11, *Public Services*, construction and operation of the proposed project is not anticipated to adversely affect emergency service performance objectives or response times. Construction and operation of the project would not result in inadequate emergency access. Impacts would be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

3.13 Tribal Cultural Resources

3.13.1 Environmental Setting

The project site consists of the open waters of San Diego Bay and land comprised of harbor fill that is entirely developed with buildings and pavement. The shoreline at the APE was radically altered between the late 1940s and early 1950s, expanding the shoreline at the APE approximately 1,000 feet. Prior to this expansion, the entire APE was under water. The created land of the APE will not contain intact precontact archaeological deposits. The area around the APE is entirely developed and includes additional land constructed between the late 1940s and early 1950s. Offshore soils consist of Bay mud, and construction of the project would not result in any disturbance of these soils.

3.13.2 Results

Review of the NRHP, CRHR, and Historical Landmarks listings did not identify any tribal cultural resources within or near the APE. On October 31, 2024, the Native American Heritage Commission responded that the results of the Sacred Lands File Search were negative. No responses have been received from any of the tribal outreach to date.

3.13.3 Regulatory Setting

This section identifies applicable federal, state, and local legislation, regulations, policies, and plans applicable to tribal cultural resources.

3.13.3.1 Federal

The proposed project requires a permit per Section 10 of the federal *Rivers and Harbor Act* from USACE and a cultural resources review was completed in compliance with Section 106 of the *National Historic Preservation Act* (NHPA). No precontact resources were identified and because the APE consists of the open waters of San Diego Bay and adjacent land that was created for industrial use; no part of the APE contains intact native soils that could contain precontact archaeological deposits.

3.13.3.2 State

Assembly Bill 52

AB 52 established that tribal cultural resources must be considered by the lead agency under CEQA. AB 52 provides for additional Native American consultation requirements to be undertaken by the lead agency. A tribal cultural resource is a site, feature, place, cultural landscape, sacred place, or object that is considered of cultural value to a California Native American tribe, and that is:

- Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k).
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC

Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

California Health and Safety Code and Public Resources Code

Broad provisions for the protection of Native American cultural resources are contained in the *California Health and Safety Code*, Division 7, Part 2, Chapter 5 (Sections 8010 through 8030).

Several provisions of the PRC also govern archaeological finds of human remains and associated objects. Procedures are detailed under PRC Sections 5097.98 through 5097.996 for actions to be taken whenever Native American remains are discovered. Furthermore, Section 7050.5 of the California *Health and Safety Code* states that any person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor, except as provided in PRC Section 5097.99. Any person removing human remains without authority of law or written permission of the person or persons having the right to control the remains under PRC Section 7100 has committed a public offense that is punishable by imprisonment.

3.13.3.3 Local

The SDAPCD is the CEQA lead agency for the project and is responsible for tribal consultation and consideration of tribal cultural resources in accordance with AB 52.

3.13.4 Thresholds of Significance

The proposed project would result in a significant impact on tribal cultural resources if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision I(c) of Public Resources Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe?

Based on the *Initial Study* (Appendix A), it was determined that the proposed project would not be located on a site containing any listed or eligible resources as defined by PRC Section 5020.1(k) and no known cultural resources are in the project area. Therefore, no further analysis of whether the proposed project would cause a substantial adverse change in the significance of a tribal cultural resource, as defined in PRC Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the CRHR, or in a local register of Historical Resources as defined in PRC Section 5020.1(k) is warranted in this EIR.

3.13.5 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in the preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Threshold 1: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision I(c) of Public Resources Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe?

Impact Discussion

Construction/Operations

Operation and maintenance activities for the proposed FDD would require no ground disturbance, and no operation-related impacts would occur. Thus, the impact analysis is limited to construction impacts.

Project impacts on cultural resources are defined by CEQA as a change in the characteristics of a resource that convey its significance or justify its eligibility for inclusion in the NRHP, CRHR, or local register. Direct impacts may occur by:

- Physically damaging, destroying, or altering all or part of a resource
- Altering characteristics of the surrounding environmental setting that contribute to the significance of a resource
- Allowing a resource to deteriorate through neglect
- Incidental discovery of archaeological resources without proper notification

Direct impacts can be assessed by determining the exact location of historical resources and assessing their significance under NRHP and CEQA criteria, identifying the types and extent of the proposed impacts and their effect on significant resources, and determining appropriate measures to reduce impacts to less-than-significant levels. Indirect impacts may include changes to the viewshed of a significant resource through introduction of a new project element.

No tribal cultural resources were identified within the project area, and no tribes contacted regarding cultural resources at the project site have responded. Given the nature of constructed land where the proposed project would occur, no tribal cultural resources are expected to be discovered during project implementation and no impacts are expected from project implementation.

In the unlikely event that archaeological resources are discovered during project construction, activities in the vicinity of the find would cease and tribes that are traditionally and culturally affiliated with the geographic area of the proposed project would be notified.

Level of Significance

No impact.

Mitigation Measures

No mitigation is required.

3.14 Utilities/Service Systems

3.14.1 Environmental Setting

This section describes the existing utilities and service systems that serve the project site and that could be adversely affected by the proposed project.

3.14.1.1 Water

Water service is provided to the Austal USA facility by SWA, which is a member agency of the San Diego County Water Authority (SDCWA). SWA's water system provides water service to a population of approximately 191,000 people within the western and central portions of Chula Vista, all of National City, and the unincorporated community of Bonita within San Diego County. SWA's service area covers 32 square miles and provides service to approximately 190,000 people (National City 2011b).

3.14.1.2 Wastewater

Wastewater treatment service is provided to the Austal USA facility by the National City wastewater division. Wastewater collected within the City, including the project site, is treated by the City of San Diego at the Point Loma Wastewater Treatment Plant. The Point Loma Wastewater Treatment Plant treats approximately 175 million gallons per day (mgd) of wastewater, which is generated in a 450-square-mile area by more than 2.2 million residents. Located on a 40-acre site on the bluffs of Point Loma, the plant has a treatment capacity of 240 mgd. Treated effluent is discharged to the ocean through a 4.5-mile-long ocean outfall off Point Loma. The National City wastewater division maintains approximately 97 miles of sanitary sewer main, which consists mostly of 6- and 8-inch lines and four pump stations (National City 2011b).

3.14.1.3 Stormwater

The project site is within the Pueblo Watershed, San Diego County's smallest and most densely populated hydrologic unit. This hydrologic unit encompasses San Diego Bay and approximately 60 square miles of predominantly urbanized land that drains into San Diego Bay. In addition to San Diego Bay waters, the main hydrologic feature of the watershed closest to the project site is Sweetwater Channel, located south of the project site. A stormwater drainage system, managed by the National City Storm Water Division, currently exists at the Austal USA facility. Existing on-site drainage facilities consist of several underground National City and Port storm drain systems. National City's municipal separate storm sewer system consists of 19 miles of catch basins, inlets, pipes of varying materials, natural creeks and streams, natural channels, concrete channels, and culverts (National City 2011b).

3.14.1.4 Electricity and Natural Gas

SDG&E provides electricity and natural gas services to the Austal USA facility. SDG&E is the primary public utility in the region. SDG&E, operated by Sempra Energy, is an investor-owner public utility, which provides energy service to 3.3 million consumers through 1.3 million

electric meters and more than 800,000 natural gas meters in San Diego and southern Orange counties. SDG&E's service area spans 4,100 square miles. The utility delivers both natural gas and electricity throughout National City (National City 2011b).

3.14.1.5 Solid Waste

Solid waste generated at the Austal USA facility is collected by National City's franchised waste hauler, EDCO Waste and Recycling Services, and transported to a local landfill. The approved waste hauler is allowed to dispose of municipal solid waste at any of the landfills in San Diego County. San Diego County has four active landfills. The Otay Landfill is closest to the project site and therefore would be the least expensive in terms of transportation costs; it is anticipated that a majority of project-generated solid waste would be disposed of there. However, project-generated solid waste could also be disposed of at Miramar Landfill, Sycamore Canyon Landfill, and/or Borrego Landfill. Solid waste collection would be rerouted to any of these landfills once Otay Landfill is closed.

3.14.2 Regulatory Setting

The section identifies applicable federal, state, and local legislation, regulations, policies, and plans applicable to utilities and service systems.

3.14.2.1 Federal

Clean Water Act

The CWA, passed in 1977, establishes the structure for regulating surface water quality and discharge of pollutants into waters of the United States. Through the CWA's NPDES permit program, the EPA regulates discharge of pollutants from municipal and industrial wastewater treatment plants, sewer collection systems, and stormwater discharges from industrial facilities and municipalities.

Safe Drinking Water Act

The *Safe Drinking Water Act*, passed in 1974 and amended in 1986 and 1996, gives the EPA the authority to set minimum health-related drinking water standards to which public water systems must comply. The EPA oversees all states, localities, and water suppliers that implement these standards. The National Primary Drinking Water Regulations are the legally enforceable standards that pertain to contaminants that may cause adverse health effects.

3.14.2.2 State

Assembly Bill 939, California Integrated Waste Management Act

AB 939 requires all California cities, counties, and approved regional solid waste management agencies to divert 25% of their solid waste by 1995 and 50% by 2000. AB 939 established the California Integrated Waste Management Board, which later became CalRecycle.

Assembly Bill 341, Mandatory Recycling

AB 341 increases California's waste diversion goal from 50% to 75% by 2020. AB 341 also includes mandatory commercial recycling to reduce GHG emissions. All commercial businesses

that generate more than 4 cubic yards or more of solid waste per week are required to have a recycling program in place.

Assembly Bill 1594, Green Material Disposal

Effective January 1, 2020, AB 1594 requires that jurisdictions can no longer count green material used as alternative daily cover at landfills toward their recycling goals. Jurisdictions are required to develop plans to divert green material from landfills.

Senate Bill 1383, Short-Lived Climate Pollutants—Organic Waste Methane Emissions Reductions

SB 1383 requires a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. SB 1383 also requires at least 20% of currently disposed edible food be recovered for human consumption by 2025. Jurisdictions, haulers, and generators are required to implement programs to comply with the law by January 1, 2022.

California Green Building Standards Code

The *California Green Building Standards Code* (CALGreen, 24 CCR Part 11) establishes voluntary and mandatory standards pertaining to the planning and design of sustainable site development and water conservation, and mandates that in the absence of a more stringent local ordinance, a minimum of 65% of non-hazardous construction and demolition debris must be recycled or salvaged.

Assembly Bill 797, Urban Water Management Planning Act

AB 797 established the *Urban Water Management Planning Act* (UWMP Act) in 1983. The UWMP Act requires that water suppliers providing water for municipal purposes to more than 3,000 customers, or supplying more than 3,000 acre-feet of water annually, prepare and submit a UWMP to the California Department of Water Resources (DWR) every 5 years. UWMPs are required to support the water suppliers' long-term resource planning to ensure that adequate water supplies are available to meet existing and future water needs.

Assembly Bill 1668, Water Management Planning and Senate Bill 606, Water Management Planning

AB 1668 and SB 606 enable the SWRCB, in coordination with DWR, to establish long-term urban water use efficiency goals that include components for indoor residential use, outdoor residential use, water losses and other uses. Retail water suppliers across the state must then meet annual urban water use objectives based on efficiency standards for indoor and outdoor water use and water loss.

3.14.2.3 Local

National City Municipal Code Section 9.52, Mandatory Commercial and Residential Recycling Program

Section 9.52 of the National City Municipal Code provides recycling requirements for City-serviced multi-family residences, privately serviced businesses, commercial/institutional facilities, apartments, condominiums and permitted special events.

National City Municipal Code Section 15.80, Construction and Demolition Debris

Section 15.80 of the *National City Municipal Code* requires construction, demolition, and remodeling projects needing building, combination (that is, permits for structural modifications to existing structures), and demolition permits pay a refundable deposit and divert at least 75% of inert debris and 50% of remaining construction and demolition debris.

San Diego County Integrated Waste Management Plan

The *San Diego County Integrated Waste Management Plan*, adopted in January 2005, meets the requirements of the *California Integrated Waste Management Act* (San Diego County 2005). The plan summarizes integrated waste management issues in San Diego County and waste management programs that local jurisdictions are using to meet the 50% waste reduction mandate. The plan also includes goals and suggested steps to cooperatively implement and administer specific programs regionally and countywide.

Sweetwater Authority 2020 Urban Water Management Plan

SWA's *2020 Urban Water Management Plan* (UWMP) (SWA 2020) meets the requirements set forth by the UWMP Act. The SWA's UWMP presents information on water supply, water usage, recycled water, and water use efficiency programs in the service area, and includes demand forecasts and supply needs based on the most recent SANDAG forecasts. The 2020 UWMP states that all future water demands will have available water supplies for the predicted service areas during a normal water year scenario; however, water shortages are identified during single-dry-year and multiple-dry-water year scenarios.

3.14.3 Thresholds of Significance

The proposed project would result in a significant impact on utilities and service systems if any of the following significance criteria, based on Appendix G of the CEQA Guidelines, are met:

1. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?
2. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
3. Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
4. Would the project generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
5. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

3.14.4 Impact Analysis

This section provides an environmental impact analysis for the proposed project using the thresholds of significance described in preceding section, mitigation measures if necessary, and impacts after incorporation of mitigation if applicable.

Threshold 1: Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?

Impact Discussion

Construction

Proposed project construction activities associated with wharf construction, mooring dolphin pier installation and FDD placement would be located over the waters of the San Diego Bay. Construction of the proposed project does not include construction of any new water, wastewater treatment or stormwater drainage, electric power, natural gas or telecommunications facilities or any relocation or improvements to existing water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities. Therefore, no impacts would occur related to proposed project construction.

Operations

The project would be connected to existing utilities on the landside Austal USA facility and would use these utilities during operations. SDG&E provides electric power to the Austal USA facility from existing electrical services. Water for domestic and fire suppression would be provided by the Port. The FDD would be connected to the adjacent landside water line by overwater hoses running beneath the pedestrian bridge from the existing 6-inch water main located at the National City Marine Terminal. Sanitary wastewater treatment would be provided by National City. There would be no change to existing stormwater drainage systems due to proposed project operations, as all stormwater from the FDD would be collected and discharged to the sanitary sewer. The FDD would be connected to the adjacent landside sewer line by overwater hoses located beneath the pedestrian bridge. Black- and gray-water sewage generated by the FDD restroom and from flushing the vessel while in the FDD would be collected and stored on board and pumped to the land-side municipal wastewater treatment system. Any non-oily rainwater that collects in the FDD and deck wash-down water would be collected and discharged to the sewer system. Any oily wastewater generated from project operations would be handled as waste. The FDD would tie into the existing telecommunications lines on the Austal USA facility. No natural gas connection is proposed. Operations would use water, wastewater, power, and telecommunication utilities at typical vessel repair and maintenance operation levels but would not require relocation or construction of new or expanded utility facilities. Therefore, proposed project operations would result in no impacts related to the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities.

Level of Significance

No impact.

Mitigation Measures

No mitigation is required.

Threshold 2: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Impact Discussion

Construction

Proposed project construction activities associated with wharf construction, mooring dolphin pier installation and FDD placement would be located over the waters of the San Diego Bay. Minor amounts of water (up to approximately 60 gallons per truck) may be required if on-site concrete washout is necessary (Construction Industry Compliance Assistance 2016). No trenching, grading, excavation, or other upland construction activities with potential to result in disturbed soil or other dust generating activities are anticipated and would not require water for dust control. Other than parking and staging, no other landside construction activities are anticipated. Current water supply to the Austal USA facility provided by the SWA would be sufficient for construction of the proposed project and impacts on water supplies available to serve the project during construction would be less than significant.

Operations

FDD operations would require using potable water to wash vessel hulls of vessel that are worked on in the FDD, and to wash the FDD deck. Based on a maximum of four dry-docking evolutions per year, it is anticipated that operation of the FDD would require approximately 5,000 gallons of potable water annually. The Austal USA facility receives water from the SWA via the Port. The SWA is included in the SDCWA service area. According to the 2020 UWMP, the SDCWA potable water supply is sufficient for expected demand through 2045 through normal, dry, and multiple dry years (SDCWA 2021). The proposed project does not meet the threshold of a “project” as defined in *California Water Code* Section 10912, as amended by SB 610, and is not subject to state requirements to prepare a water supply assessment. Therefore, there would be sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years; and impacts are anticipated to be less than significant.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 3: Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Impact Discussion

Construction

Proposed project construction activities associated with wharf construction, mooring dolphin pier installation and FDD placement are all located over the water in San Diego Bay. It is anticipated that up to 20 construction workers a day would be onsite. It is anticipated that commercial waste hauler would provide portable construction restroom facilities or workers would use restroom facilities at the Austal USA facility. Any non-oily rainwater that might accumulate in the FDD during placement activities or deck wash-down water used during construction would also be discharged to the sanitary sewer system through the existing sewer line at the Austal USA facility. Construction discharges are anticipated to be minimal and well below design capacity. Due to the minimal wastewater quantity anticipated during construction, the existing wastewater treatment facilities would have adequate capacity to meet construction needs of the proposed project. Discharge of wastewater associated with construction personnel or activities would have a less-than-significant impact on the capacity available from the wastewater treatment provider.

Operations

Sanitary wastewater treatment would be provided by the City of National City during project operation. The FDD would be connected to the adjacent landside sewer line by overwater hoses located beneath the pedestrian bridge. Black- and gray-water sewage generated by the FDD restroom and from flushing the vessel while in the FDD would be collected and stored on board and pumped to the land-side municipal wastewater treatment system. Any non-oily rainwater that collects in the FDD and deck wash-down water would be collected and discharged to the sewer system. Any oily wastewater generated from project operations would be handled as waste.

Sewer flows resulting from operations of the project are anticipated to remain within the design capacity of the existing sewer line on the Austal USA facility's landside. This local sewer line discharges to an 8- and 10-inch gravity main along Bay Marina Drive, which eventually discharges to the Point Loma Wastewater Treatment Plant. This plant treats approximately 175 million gallons of wastewater per day, which is generated by more than 2.2 million residents and has a treatment capacity of 240 mgd (National City 2011b). Due to the relatively low quantity of wastewater resulting from vessel repair and maintenance operations, the existing wastewater treatment facilities would have adequate capacity to serve project wastewater. The proposed project would have a less-than-significant impact on the capacity available from the wastewater treatment provider.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 4: Would the project generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Impact Discussion

Construction/Operations

The proposed project would result in typical construction-related non-hazardous trash and debris which would, as applicable, be recycled. Remaining non-hazardous construction trash and debris would be handled through Austal USA's current trash hauler, EDCO, and disposed of at Otay Landfill or other permitted landfills in San Diego County, California. Project construction is not anticipated to generate hazardous waste. However, if generated, RCRA and non-RCRA hazardous waste would be removed by permitted waste haulers under Austal USA EPA ID number. All hazardous waste would be transported under a waste manifest to an authorized hazardous waste TSDF. No changes in operational generation of solid waste are anticipated. Operational solid waste generation would continue to comply with applicable statutes and regulations defined in Section 4.19.2(e), including AB 939 and AB 341 to support statewide goals of diverting solid waste from landfills, and would not conflict with the goals presented in the *San Diego County Integrated Waste Management Plan* (San Diego County 2005). It is anticipated that local recycling facilities and landfills have adequate capacity to accommodate the solid waste that would be temporarily generated from construction activities. The solid waste volume generated by construction of the proposed project would be minimal compared to daily total volumes processed at the recycling facilities and landfills in the area. Waste materials generated during construction would be disposed of in accordance with federal, state, and local regulations related to recycling, which would minimize the amount of construction waste material entering local landfills.

Waste materials that could be generated during general ship repair and maintenance operations would be typical of shipyard operations and would include spent sandblast and paint debris, as well as various lubricants and cleaning solvents. Project operations would occasionally require the use of hazardous chemicals (such as oil lubricants, paint, and cleaning solvents), and storage in a chemical storage locker located onsite. Work-process-related trash and debris, including hazardous waste, would be controlled and transported to licensed TSDF for proper fuel blending or proper disposal. Used oil and oily wastewater generated by project operations would be collected, stored in landside tanks, and sent to a licensed TSDF for fuel blending or recycling.

Non-recyclable solid waste collected in National City is sent to the Otay Landfill, located at 1700 Maxwell Road in Chula Vista, approximately 10 miles south of National City. Recyclable materials are processed at one of three material recovery facilities operated by EDCO in Southern California (National City 2011b). Otay Landfill has a maximum capacity of 61,154,000 cubic yards. As of May 2016, the facility had a remaining capacity of approximately

21,194,008 cubic yards and was expected to be in operation until February 2028 (CalRecycle 2019).

The solid waste volume generated by project operations would be minimal compared to daily total volumes processed at the recycling facilities and landfills in the area. Waste materials generated during operation would be disposed of in accordance with federal, state, and local regulations related to recycling, which would minimize the amount of waste material entering local landfills. Therefore, construction and operation of the project would have a less-than-significant impact on capacity of local waste infrastructure and would not impair the attainment of solid waste reduction goals.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Threshold 5: Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact Discussion

Construction/Operations

The project would not conflict with or cause a local jurisdiction or service provider to conflict with any federal, state, or local solid waste regulations, including AB 939, AB 341, AB 1594, or SB 1383 (refer to Section 3.14.2). Moreover, waste generated from construction activities would be required to comply with the National City Recycling Construction and Demolition Debris Ordinance (Municipal Code Title 15, Chapter 15.80, *Construction and Demolition Debris*). Construction and operation of the project would require compliance with solid waste reduction statutes. The project would incorporate source reduction techniques, and recycling measures would minimize the amount of waste that would need to be disposed of at local landfills during construction and operation. Any solid waste generated during construction and operation would be collected, sorted, transported, and disposed of at appropriate facilities, consistent with applicable federal, state, and local regulations. Hazardous wastes would be collected, sorted, transported, and disposed of at authorized hazardous waste facilities consistent with applicable federal, state, and local regulations and would not be commingled with general construction wastes. Waste would be generated by project construction and operations; however, the volume of waste would result in less-than-significant impacts on federal, state, and local management and reduction statutes and regulations.

Level of Significance

Less-than-significant impact.

Mitigation Measures

No mitigation is required.

Chapter 4 Cumulative Impacts

4.1 Overview

According to CEQA Guidelines Section 15130, an EIR must discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable. A cumulative impact refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. The term "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

4.2 Cumulative Impact Analysis Methodology

Table 4-1 lists projects for consideration for cumulative impact analysis. This list was developed through a review of active projects identified from City of National City, Port, San Diego County, and Navy websites. Table 4-1 lists projects identified within 2 miles of the proposed project site; however, the cumulative impact analysis for each resource considers projects within a distance of each proposed project site that is appropriate for the resource. For some resources, use of a summary of projections rather than a list of projects is more appropriate for assessing cumulative impacts. The applicable approach is described in the cumulative impact analysis for each resource section.

Table 4-1. Projects for Consideration in Cumulative Impact Analysis

Project Name	Address	Distance from Proposed Project Site	Project Description	Status
Austal USA Projects				
Partial FDD Construction Activities	1313 Bay Mariana Drive, National City	Onsite in the construction area for the FDD project.	Work completed prior to work stoppage: Dredged project area to -38 feet and installed 30 of 33 piles for the wharf.	Completed 2024.
Port Projects				
National City Bayfront	Various	Approximately 0.6-mile to Marina District from project site.	• Expansion of Pepper Park by 2.5 acres. • Realignment of Marina Way. • East-west and north–south public access corridors, with pedestrian, bicycle and visual access. • Better configured/more contiguous commercial recreation and maritime uses.	EIR certified and Port Master Plan Amendment approved 2022. Waiting on California Coastal Commission approval.
Chula Vista Bayfront Master Plan	Various	Approximately 1.3 miles to master plan boundary from project site.	The master plan will be implemented jointly by the Port and the City of Chula Vista in four major phases over a 24-year period. Phase 1 of implementation includes development of the resort conference center, creation of public parks and open space, restoration of habitat areas, construction of a new fire station and construction of mixed-use residential development.	Approved by California Coastal Commission August 2012; Sweetwater Park and Gaylord Resort and Convention Center to open in 2025.
NASSCO FDD Replacement and Waterfront Improvements	2798 East Harbor Drive, San Diego	Approximately 2.05 miles north of the project site at NASSCO.	Address existing deficiencies related to the age and condition of structures, shoreline sloughing, and outdated operational conditions at the existing NASSCO dry dock.	Notice of Determination issued by Port September 2023 and by San Diego RWQCB in July 2024.
Navy Projects				
Mole Pier FDD	Mole Pier; south berth is located approximately 1 mile south of the main entrance gate to NBSD, immediately south of Pier 8 and the Paleta Creek Channel, and north of Pier 10.	0.75-mile north of the project site at Navy Mole Pier.	Provide a new Navy FDD, including all required dredging and sediment disposal as well as all required demolition and construction activities, necessary for maintenance of ships, including specifically the DDG-51, LCS-2, LSD-41, and LSD-49 ship classes.	The FONSI for the Supplemental EA completed Dec 2023.
Pier 6 Replacement	NBSD	Approximately 1.3 miles north of the project site at Pier 6.	Demolition of the aging and inadequate Pier 6 at NBSD, replace with a new general-purpose pier and infrastructure necessary to support modern Navy ships.	Project completed 2022.
Eelgrass Habitat Expansion	Multiple sites in San Diego Bay	Nearest site approximately 1.8 miles (South Silver Strand).	Navy proposes to add to the existing Navy Region Southwest San Diego Bay Eelgrass Mitigation Bank by expanding eelgrass habitat at one or more sites in San Diego Bay, San Diego County, California.	Final EA/FONSI completed in 2024.
National City Projects				
US Development Group San Diego Clean Fuels Facility, LLC	19th and Cleveland, National City	Approximately 0.4 mile east-northeast of the project site.	The project proposes construction and operation of a new transload facility on the BNSF right-of-way. The proposed facility would add nine rail spurs and four fixed truck loading spots to transload clean renewable and biofuel directly from rail cars into trucks.	EIR in progress. Scoping completed June 2024.

Table 4-1. Projects for Consideration in Cumulative Impact Analysis

Project Name	Address	Distance from Proposed Project Site	Project Description	Status
Parco National City Apartments	8th and B, National City	Approximately 1.4 miles northeast of the project site.	Infill development.	Completed 2021.
Courtyards at Kimball	Between National City Boulevard and A Avenue at 12th, National City	Approximately 1.2 miles northeast of the project site.	Infill development.	An affordable apartment community completed 2022.
Caltrans Projects				
Harbor Drive 2.0/Vesta Street Bridge Port Access Improvements Project	Various locations (I-5, SR-15, Harbor Drive) in the Cities of San Diego and National City, and in NBSD.	Nearest portion of Harbor Drive improvements approximately 0.8-mile north-northeast from project site.	Construct improvements along I-5, SR 15, Harbor Drive, and connecting arterials in the Cities of San Diego and National City, and in NBSD. Improvements consist of: • Truck-only lanes on Harbor Drive • Intelligent transportation system improvements • Construction of Vesta Street Bridge • Improvements to on- and off-ramps • Pavement rehabilitation • Complete street improvements • Zero-emission commercial vehicle infrastructure	Final EA/FONSI issued 2023. Estimated project completion 2028.
Chula Vista Projects				
Eucalyptus Park Renovations	436 C Street, Chula Vista	Approximately 1.7 miles southeast of the project site.	Project proposed the following improvements: • Multi-purpose field with lighting • Interactive water feature • Skate/scooter plaza • Bike skills plaza and jump area • Perimeter walking path • Fitness equipment • Pickleball courts • Parking • New playground equipment and surfacing • Renovated small and large dog park areas	Estimated project completion summer 2026.

4.3 Cumulative Impact Analysis

The discussion in this section evaluates the potential for the proposed project to contribute to a cumulative adverse impact on the environment.

The analysis considers there to be a significant cumulative impact if the proposed project, when considered together with past, present, and probable future projects, would contribute to cumulatively considerable impacts.

According to CEQA Guidelines Section 15130 (a)(1), an EIR should not discuss impacts that do not result in part from the project evaluated in the EIR. For a project to contribute to cumulative impacts, it must result in some level of impact on a project-specific level. Based on the analysis provided in the *Initial Study* (Appendix A), it was determined that the proposed project would not result in any impacts on agriculture and forestry resources, cultural resources, land use, mineral resources, recreation, and wildfire. Additionally, based on analysis in this EIR, it was also determined that the proposed project would not result in any impacts on public services or tribal cultural resources. Consequently, the proposed project would not have the potential to contribute to cumulatively considerable adverse impacts related to these resources, and they are not discussed in this cumulative impact analysis.

The cumulative analysis that follows addresses the incremental contribution of the proposed project to cumulative impacts associated with aesthetics, air quality, biological resources, energy use, geology/soils, GHG emissions, hazards and hazardous materials, hydrology/water quality, noise, population and housing, transportation/traffic, and utilities/service systems.

4.3.1 Aesthetics

A significant cumulative impact would occur if the proposed project, when considered together with past, present, and probable future projects, would contribute to cumulatively considerable impacts resulting in substantial damage to scenic resources along a State Scenic Highway or if it would create a new source of substantial light or glare that would adversely affect day- or nighttime views in the area.

As discussed in Section 3.1, the project would have no impacts on scenic vistas or conflict with applicable zoning or other regulations governing scenic quality. No consideration of cumulative impacts for these topics are warranted.

The geographic scope for the aesthetic cumulative study area includes areas visible from SR-75. SR-75 was designated as a scenic highway in the 1970s due to its uninterrupted ocean and Bay views. Along SR-75, minimal past development has occurred, and similar uninterrupted views still exist today. Additionally, the Coronado Bridge is an elevated structure crossing the Bay that prevents past, present, or probable future projects from blocking or substantially altering the distant views or damaging scenic resources adjacent to the elevated structure. Cumulatively considerable impacts on aesthetics were evaluated in the context of past, present, and probable future projects identified in Table 4-1. Present and probable future projects listed in Table 4-1 that would be visible from SR-75 could contribute to cumulative impacts on aesthetics if they would be located directly adjacent to SR-75 and blocked views, or if they resulted in

substantial damage to scenic resources along the State Scenic Highway, or if they resulted in a new source of light and glare.

Projects identified in Table 4-1 are not located on Silver Strand and are either not visible from SR-75 or are indistinguishable due to both the distance from SR-75 across the Bay and the visual absorption by the industrial shipyard setting that dominates views east toward the project site. If a future project is located on Silver Strand adjacent to SR-75, There is potential for substantial damage to scenic resources along a State Scenic Highway. Similarly, only current or future projects have any potential to result in a new source of light or glare. Past, present and probable future projects are evaluated on a project-by-project basis and would be required to comply with aesthetic and lighting requirements required by the implementing jurisdiction. As applicable, future projects would be required to implement measures to avoid, minimize, or mitigate visual impacts to comply with applicable state and local development requirements for protection of aesthetic resources.

Views across the Bay of the proposed project site from SR-75, as discussed in Section 3.1.4, would be indistinguishable from other adjacent areas adjacent to the project when viewed from SR-75. The visibility of the proposed project site from SR-75 is deteriorated by both distance (about 2 miles) and the industrial shipyard setting that dominates views east toward the project site. None of the past, present, or probable future projects listed in Table 4-1, when considered together with the proposed project, have potential to be distinguishable adjacent uses from SR-75 located over 2-miles away, and have no potential to impact resources along the State Scenic Highway. When considered with past, present, and probable future projects listed in Table 4-1, the proposed project would not result in any damage to scenic resources along a State Scenic Highway and would not result in any cumulatively considerable impacts.

Project construction activities would be temporary, lasting for approximately 8 weeks. Construction equipment would be typical, and construction would occur primarily during daytime hours. Construction would not result in a substantial new source of light or glare. Operations would occur year-round at the project site with working hours from 6:00 a.m. to 4:00 p.m., 6 days a week. This is consistent with surrounding Navy and Port operations. Operations are generally during daylight hours; however, security/night lighting during ship availabilities is expected and would be consistent with lighting levels in Port and NBSD areas along the Bay front. The FDD is a large, painted steel structure, would not result in substantial glare, and would be consistent with other dry docks along the Bay. The proposed project will service large Navy vessels that are generally painted and designed to avoid detection and would not result in substantial glare. When considered with past, present, and probable future projects listed in Table 4-1, the proposed project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and would not result in any cumulatively considerable impacts.

Cumulative impacts on aesthetics would be less than significant.

4.3.2 Air Quality

Air quality conditions and pollutant concentrations in any given location are inherently cumulative. Past, present, and probable future projects throughout the region, including the

projects listed in Table 4-1, have contributed to and will continue to contribute to cumulative emissions, ambient concentrations, and human exposures for both criteria air pollutants and TACs.

All projects in the SDAB, including the proposed project, must align with clean air plans and must comply with all applicable federal, state, and local policies, permitting requirements, and regulations regarding air emission sources, including applicable requirements for BMPs and emission reductions. Criteria used by air quality agencies to evaluate the significance of proposed projects are based on detailed consideration of past, present, and modeled future air quality conditions. Proposed projects that would exceed air quality significance thresholds would be deemed to cause cumulatively considerable impacts, triggering additional regulatory scrutiny and permitting requirements. Inversely, impacts of projects that would not exceed significance thresholds would not be considered cumulatively considerable.

The proposed project has been evaluated for consistency with applicable air quality plans and the incremental impacts it would have on local and regional air quality conditions, such as emissions levels, exposure concentrations, and air quality-related health risks. The proposed project's incremental contributions of construction and operational emissions would not conflict with state or local clean air plans or emission reduction goals, indicating project emissions would not be cumulatively considerable related to applicable air quality plans. Although the proposed project would result in an increase of air emissions as described in Section 3.2, the associated incremental increases in emissions, human exposures, and health risks are less than the applicable significance thresholds. Project construction and operations are not expected to result in odor-related impacts. As a result, while the air quality effects from past, present, and probable future projects may be considered cumulatively significant, the proposed project's incremental contribution of construction and operational emissions to local and regional air quality conditions, emissions levels, exposures, and air quality-related health risks would be less than cumulatively considerable.

Cumulative impacts on air quality would be less than significant.

4.3.3 Biological Resources

A significant cumulative impact on biological resources would result if past, present, and probable future projects, in consideration with the potential impacts from the proposed project were to contribute to cumulatively considerable impacts that would result in a substantial adverse effect on any candidate, sensitive, special-status species, riparian habitat or natural community, would interfere with movement of any native or migratory species or would result in conflicts with adopted plans that protect biological resources.

As discussed in Section 3.3, the project would have no impacts on biological resources protected under local policies or ordinances or on state or federally protected wetlands. No consideration of cumulative impacts for these topics is warranted.

The proposed project does not include landside ground disturbance. Additionally, there are no sensitive terrestrial species or habitats within the landside areas of the Austal USA facility, and there is no potential for landside impacts on biological resources. Construction and operation of

the FDD occurs within San Diego Bay. The geographic scope of the biological resource cumulative impact study area includes areas in, adjacent to, or otherwise linked to the San Diego Bay. Only present and probable future projects listed in Table 4-1 with in-water work and within the study have the potential to contribute to cumulative impacts on foraging birds, marine mammals, sea turtles, fish and eelgrass associated with construction or operational increases in turbidity, noise, changes in water quality or requiring eelgrass removal. The potential for cumulative impacts would likely be limited to past, present, or probable future projects with similar in-water construction activities such as dredging, filling, and pile driving.

The majority of proposed project impacts are temporary and would stop after the 8-week construction period. Other than the "Partial FDD Construction Activities" listed in Table 4-1, there are no other past, present, or probable future projects within the geographical extent of the cumulative impacts study area. Operational impacts would be primarily limited to ballast tank operations. Construction and operational impacts on marine birds and mammals, green sea turtles, fish, and marine habitats from noise, turbidity, changes in water quality or other disturbances during construction and operation would be highly localized to the area of San Diego Bay between NBSD Pier 13 to the north and the National City Marine Terminal to the south. Project construction and operational impacts from noise, turbidity, changes in water quality or other disturbances would be avoided and minimized with implementation of project minimization measures described in Table 2-1, as discussed in Section 3.3. Past, present, and probable future projects would require similar measures to avoid and minimize impacts on biological resources during construction and operation. Due to the localized nature of the project impacts, none of the past, present, or probable future projects listed in Table 4-1, when considered together with the proposed project, would result in any cumulatively considerable impacts on to marine birds and mammals, green sea turtles, fish, or marine habitats.

Austal USA completed some initial FDD construction activities at the proposed project site in 2024, which included driving piles for wharf construction and dredging to convert the water depth in the project footprint from approximately -9 to -17 feet MLLW to its current -38 feet MLLW depth. Dredging resulted in the loss of 1.084 acres of eelgrass habitat and created 2.062 acres of deep subtidal habitat devoid of eelgrass. Navy approval of 1.084 acres of eelgrass credits from the Navy's eelgrass mitigation bank has already been obtained. Any additional impacts on eelgrass from proposed project construction activities would be addressed and quantified by a post-construction eelgrass survey (BIO-6) to ensure full offset of eelgrass impacts. Any future projects that would impact eelgrass would also be required to identify offsets for loss of eelgrass. The project area now consists of deep subtidal habitat and is no longer suitable for eelgrass. No disturbance of eelgrass outside of the project footprint would occur under the proposed operation of the FDD. When project impacts are considered together with past, present, or probable future project impacts, they would not result in any cumulatively considerable impacts on eelgrass or other sensitive communities.

Cumulative impacts on biological resources would be less than significant.

4.3.4 Energy

A significant cumulative impact resulting from energy use would occur if the past, present, and probable future projects, together in consideration with potential energy use from the proposed project, were to contribute to wasteful, inefficient, or unnecessary consumption of energy or if together they would conflict with or obstruct any state or local plans for renewable energy or energy efficiency.

As discussed in Section 3.4, the construction and operation the proposed project does not conflict with or obstruct any state or local plans for renewable energy or energy efficiency. When considered together with past, present, and probable future projects, there is no potential for the proposed project to result in cumulatively considerable impacts resulting from failure to address the requirements of state or local plans for renewable energy or energy efficiency.

Energy for the proposed project is provided by SDG&E. The geographic scope for consideration of cumulatively considerable impacts associated with wasteful, inefficient, or unnecessary consumption of energy is the SDG&E service area.

Energy consumption from the construction and operation of the proposed project would consist of diesel fuel and gasoline used in construction equipment. Energy consumption during operation would consist of diesel fuel for, portable engines and emergency generators, and shore power for FDD operations and maintenance activities. As discussed in Section 3.4, only minimal energy would be required for construction and would be temporary. Austal USA would not require new or expanded power service from SDG&E for operation. Additionally, Austal USA has installed a 480-kV solar panel array on top of the operations building to reduce/offset SDG&E power used for FDD and pier-side vessel operation and maintenance activities. When considered together with past, present, and probable future projects, construction and operation of the FDD would not result in wasteful, inefficient, or unnecessary consumption and would not result in cumulatively considerable impacts.

Cumulative impacts on energy use would be less than significant.

4.3.5 Geology/Soils

A significant cumulative impact on geology and soils would result if the past, present, and probable future projects, in consideration with the potential impacts from the proposed project were to contribute to cumulatively considerable impacts related to strong seismic ground shaking, seismic ground failure, or geologic instability that could result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse.

As discussed in Section 3.5, the project would have no impacts related to earthquake faults, landslides, soil erosion, expansive soils, use of septic tanks, and paleontological resources. No consideration of cumulative impacts for these topics is warranted.

The geographic scope for geology and soils cumulative study area is site-specific. Each location for the projects listed in Table 4-1 has unique geologic considerations that would be subject to uniform site development and construction standards. The geographic scope for consideration of cumulative impacts for geology and soils includes all areas within the project site where

ground-disturbing activities would occur. As previously discussed, there are no landside ground-disturbing activities; therefore, geographic scope would be limited to the FDD construction area in San Diego Bay.

The cumulative projects identified in Table 4-1 includes past, present, and probable future projects in the vicinity of the project area. None of the cumulative projects are located in the cumulative study area. Only construction activities for "Partial FDD Construction Activities" listed in Table 4-1 that were completed prior to work stoppage in 2024 has occurred within the geographical extent of the study area. Construction activities included dredging and pile installation in accordance with the geotechnical report, project permits, and prior approvals as discussed in Chapter 2.

As discussed in Section 3.5, geologic hazards associated with the cumulative study area include seismic ground shaking, seismic ground failure, and geologic instability. The project and all past, present or probable future projects listed in Table 4-1 would be designed and constructed consistent with the site-specific recommendations described in the geotechnical report and all structural laws and best practices, thus ensuring that all project impacts related to strong seismic ground shaking, seismic-related ground failure, and geologic unit or soil instability would be less than significant. When considered together with past, present, and probable future projects, construction and operation of the FDD would not result in cumulatively considerable impacts related strong seismic ground shaking, seismic- ground failure or geologic instability or collapse.

Cumulative impacts on geology/soils would be less than significant.

4.3.6 Greenhouse Gas Emissions

From the standpoint of CEQA, GHG impacts on climate change are inherently cumulative and were discussed in detail in Section 3.6; a summary of that discussion is provided here.

A significant cumulative impact would occur if, when past, present and probable future projects are considered together with potential impacts from the proposed project, were to directly or indirectly result in an increase in GHG emissions compared to existing conditions; would conflict with AB 32; or if they would be inconsistent with the state's ability to achieve Executive Order B-30-15 and S-3-05 targets of reducing California's GHG emissions to 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050. Projects that would meet or fall below the CAPCOA 900-MT CO_2e threshold are expected to result in GHG emissions that would not result in a cumulatively considerable impact. This threshold was developed based on various land use densities and discretionary project types that were analyzed to determine the size of projects that would likely have a less-than-significant, cumulatively considerable contribution to climate change (CAPCOA 2008).

Climate change is a global problem, and GHGs persist in the atmosphere long enough to be both dispersed and borne globally. The geographic scope for GHG emission cumulative impact study area is global.

Past, present, and probable future projects throughout the region, state, nation, and world, including, the projects listed in Table 4-1, have contributed to, and will continue to contribute

to cumulative GHG emissions. All projects would be required to comply with all applicable federal, state, and local policies and regulations regarding GHG emission reductions (for example, SB 32, the 2022 Scoping Plan, and federal Corporate Average Fuel Economy standards and emissions requirements).

The CAPCOA 900-MT CO_2e emission threshold was developed to ensure capture of 90% or more of GHGs likely from future discretionary developments. The objective was to set the emission threshold low enough to capture a substantial fraction of future residential and nonresidential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions. Projects that generate less than the CAPCOA 900-MT CO_2e threshold would be considered less than significant without being required to demonstrate mitigation to zero (CAPCOA 2008). As discussed in Section 5.3, the proposed project is not growth-inducing and would not result in an economic activity that would be inconsistent with these assumptions in forecasting district-wide emissions.

Although the project would result in an increase of GHG emissions as described in Section 3.6, GHG emissions are less than the CAPCOA significance thresholds and would not conflict with AB 32 or the state's ability to achieve the Executive Order B-30-15 and S-3-05 targets of reducing California's GHG emissions to 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050. The proposed project's incremental contribution to cumulative impacts related to GHG emissions and reduction targets and plans would not be cumulatively considerable. Project GHG emissions would not be cumulatively considerable.

Cumulative impacts from GHG emissions would be less than significant.

4.3.7 Hazards and Hazardous Materials

A significant cumulative impact on hazards and hazardous materials would result if the past, present, and probable future projects, together in consideration with potential impacts from the proposed project, were to contribute to cumulatively considerable impacts resulting in a significant hazard to the public or the environment, result in a safety hazard or excessive noise for people residing or working within 2 miles of an airport or if the proposed project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Impacts related to hazards and hazardous materials would be minimal and would be limited to the proposed project site. Therefore, the geographic extent for consideration of hazards and hazardous materials cumulative impact analysis is limited to projects listed in Table 4-1 on or adjacent to the proposed project site.

As discussed in Section 3.7, the proposed project would not emit hazardous emissions or handle acutely hazardous waste within 0.25-mile of an existing or proposed school; the proposed project site is not included on a list of hazardous materials sites compiled pursuant to *Government Code* Section 65962.5, and the proposed project is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones.

No consideration of cumulative impacts for these topics is warranted.

Measures incorporated into the proposed project as discussed in Section 2.5.4 and listed in Table 2-1 include project minimizations measures intended to avoid or minimize impacts on water quality that would also serve to avoid or minimize impacts from hazardous substances. Recently completed dredging and pile installation in the proposed project area is the only project identified in Table 4-1 that occurs within the geographic extent for hazards and hazardous materials cumulative impact analysis. This project removed and disposed of contaminated soils located in the project area. These improvements were completed in 2024 and represent the project's baseline condition. When considered with impacts for the proposed project, impacts would not be cumulatively considerable.

Cumulative impacts on hazardous materials would be less than significant.

4.3.8 Hydrology/Water Quality

A significant cumulative impact on hydrology/water quality would result if the past, present, and probable future projects, in consideration with the potential impacts from the proposed project were to contribute to cumulatively considerable impacts that would: violate water quality standards, WDRs, or otherwise substantially degrade surface or groundwater quality; substantially alter the existing site drainage in a manner that would create runoff that would exceed stormwater drainage systems or provide substantial additional sources of polluted runoff; release pollutants due to project inundation or conflict with or obstruct implementation of a water quality control plan.

The project site is located at the end of the watershed in the Pacific Ocean and there is no landside ground disturbance. Potential project impacts on hydrology and water quality would be highly localized. The geographic extent for consideration of hydrology and water quality cumulative impact analysis is limited to the San Diego Bay between NBSD Pier 13 to the north and the National City Marine Terminal to the south.

As discussed in Section 3.8, construction and operation of the FDD occurs in the waters of the San Diego Bay and does not have any potential to impact groundwater resources, including supply or recharge. Additionally, the project does not have any potential to result in increased erosion or siltation on- or off site, nor does it have any potential to increase flooding onsite or impede or redirect flood flows. No consideration of cumulative impacts for these topics is warranted.

The only project identified in Table 4-1 that occurs within the geographic extent for water quality and hydrology cumulative impact analysis are the recently completed "Partial FDD Construction Activities," which were completed in 2024 prior to the work stoppage. Activities included driving piles for wharf construction and dredging to the current -38-foot depth. These activities were performed under the same water quality permits and the same measures to avoid and minimize impacts would be implemented. Initial FDD construction activities were completed in 2024 and now represent the project's baseline condition. Measures incorporated into the proposed project as discussed in Section 2.5.4 and as listed in Table 2-1 include project minimization measures to avoid or minimize impacts on water quality during construction and operation.

Construction water quality impacts will primarily include temporary and localized increases in turbidity directly adjacent to the piled driving activities. Increases in turbidity have a potential for reducing dissolved oxygen levels within the geographic extent for hydrology and water quality cumulative impact analysis. Implementation of minimization measures for impacts on water quality listed in Table 2-1 (including silt and bubble curtains), that avoid potential impacts for turbidity and reduced dissolved oxygen levels. Due to the localized nature of the impacts, implementation of avoidance measures and absence of any other projects under construction within cumulative study area, construction water quality and hydrology impacts would not be cumulatively considerable.

As discussed in Section 3.8, during operation both landside runoff and any stormwater accumulation on the FDD or water used during FDD operations would be captured for treatment and would be discharged to the sewer in accordance with Austal USA's boat yard and vessel general permits. Potential operational water quality impacts would primarily be limited to operation of the FDD ballast tanks while servicing up to four vessels per year in accordance with Austal USA's VGP. Water from the Bay would flow by gravity into the ballast tanks to sink the FDD and would be pumped out of the tanks to float the FDD. Ballast water would not come in contact with anything but the inside of the tanks and is anticipated to result in negligible changes in ballast tank water quality. Due to the localized nature of the impacts, compliance with the requirements of the VGP, and absence of any other projects, operational water quality and hydrology impacts would not be cumulatively considerable.

Cumulative impacts on hydrology and water quality would be less than significant.

4.3.9 Noise

A significant cumulative impact from noise and vibration would result if the past, present, and probable future projects, in consideration with the potential noise and vibration from the proposed project were to contribute to cumulatively considerable impacts that would: result in exceedances of noise standards; result in excessive ground-borne vibration or noise levels; or result in substantial increases in ambient noise levels.

As discussed in Section 3.9, it was determined that there would be no impacts related to excessive noise exposure from airports or private airstrips. No consideration of cumulative impacts for these topics is warranted.

The geographic extent for consideration of noise cumulative impact analysis includes the project site and adjacent land uses, including nearby noise-sensitive receptors identified in Section 3.9. The cumulative study area is in a highly industrialized area with ambient noise levels influenced by adjacent transportation corridors and industrial land uses. National City does not have land use authority over Port property; however, the Port applies the City's Noise Ordinance requirements to development as part of CEQA analyses.

Project construction activities would take place over an 8-week period. Pile driving would be the loudest construction activity and is estimated to be completed within the first 2 to 3 weeks of construction. Other future projects may be constructed during the same timeframe as the proposed project, and construction noise from future projects may overlap with noise from the construction of proposed project. In general, doubling a noise source (that is, introducing a new

noise source of equal power) would result in a 3-dB increase in the overall noise level. Therefore, construction noise from the proposed project and any probable future project would have to be near each other to be considered cumulatively considerable. Other than the "Partial FDD Construction Activities" listed in Table 4-1, there are no other past, present or probable future projects within the geographical extent of the cumulative impacts study area. Construction noise impacts would not be cumulatively considerable.

Noise generated during operation of the proposed project would be consistent with the ambient noise environment of an industrial waterfront area and would consist primarily of maintenance and replacement projects at existing facilities consistent with current activities in the project area and its surroundings. As a result, operational noise and vibration levels from past, present or probable future projects would be similar in character and level to existing noise conditions and would not be expected to result in substantial changes in the existing environment. Operation of the project would not result in a cumulatively considerable impact.

Cumulative impacts from noise would be less than significant.

4.3.10 Population and Housing

A significant cumulative impact would occur if the proposed project, when considered together with past, present and probable future projects, would contribute to cumulatively considerable impacts that would induce substantial unplanned growth in an area either directly or indirectly.

As discussed in Section 3.10, it was determined that, because construction and operation of the proposed project would not necessitate displacement of people or housing or necessitate construction of any replacement housing there is no potential for the project to displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. No consideration of cumulative impacts for this topic is warranted.

The geographic scope for the population and housing cumulative study area includes San Diego County. It is anticipated that the employees for construction and operation of the proposed project would likely come from areas within the County.

The 20 temporary and 130 new Austal USA employees required for construction and operation of the FDD during vessel availabilities is considered negligible on both a local (0.2% of National City population) and regional (0.004% San Diego County population) scale. The proposed project does not include providing new housing that would directly induce population growth. Although not a new business, the operation of the FDD would result in 130 new jobs. Shipping jobs are highly specialized and new Austal USA employees would likely be hired from the existing shipyard labor pool in San Diego County. Even if all 130 new employees moved to San Diego County, it would not be considered a substantial increase in population. Additionally, the FDD would be connected to existing utilities on the Austal USA facility's landside. Construction and operation of the FDD does not require extension or expansion of roads or other major infrastructure that would indirectly induce population growth. The proposed project has no potential to either directly or indirectly induce unplanned population growth and impacts on population and housing would not be cumulatively considerable.

Cumulative impacts on population and housing would be less than significant.

4.3.11 Transportation/Traffic

A significant cumulative impact would occur if the proposed project, when considered together with past, present and probable future projects, would contribute to cumulatively considerable impacts resulting in: conflicts with a program, plan, or policy addressing the circulation system; conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b); or result in inadequate emergency access.

As discussed in Section 3.12, it was determined that construction and operation of the proposed project would not result in any changes to geometric design features associated with National City or Port roadways or modify access to or within the Austal USA facility. The proposed project would not substantially increase hazards due to a geometric design feature or an incompatible use. No consideration of cumulative impacts for these topics is warranted.

The geographic scope for cumulative VMT impacts includes the San Diego County region consistent with the SANDAG SB 743 Maps. VMT analysis is already a cumulative analysis and is discussed in detail in Section 3.12; that discussion is summarized here. The geographic scope for other transportation and traffic cumulative impacts in the study area include roads that would be expected to be used to access the proposed project site during construction and operation. These consist primarily of I-5 and Bay Marina Drive but also includes Tidelands and Cleveland Avenues.

The proposed project does not conflict with programs, plans, ordinances, or policies addressing the circulation system. Other current or future projects would not affect the proposed project's consistency with programs, plans, ordinances, or policies addressing the circulation system; the proposed project's impacts would not be cumulatively considerable.

Given the industrial use of the proposed project site, an assessment based on employee VMT/capita was used. The San Diego Region SB 743 maps show employee VMT per capita for area around the project site to be 15.1 miles/person for the base year and would be reduced to 9.4 miles/person in 2050. With these data, employee VMT per capita are at least 15% below the average regional VMT/capita in the base year and in 2050. This includes all trips and given that the project's proposed land use would be similar to the existing land use in the surrounding area, the project-related VMT per capita is representative of the VMT the project would generate. Therefore, the project would not be in conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) and VMT impacts would not be cumulatively considerable.

The proposed project does not include any landside improvements. There are no construction activities outside of the Austal USA facility. The only changes that would occur is the addition of 20 construction employee trips and 130 Austal USA employee trips to the local road system. There are no proposed detours or changes to the roads in the study area and construction and operation of the proposed project would not result in any changes to emergency access; impacts would not be cumulatively considerable.

Cumulative impacts on transportation/traffic would be less than significant.

4.3.12 Utilities/Service Systems

A significant cumulative impact would occur if the proposed project, when considered together with past, present and probable future projects, would contribute to cumulatively considerable impacts that would result in inadequate water supplies to serve the project; would result in a determination by the wastewater treatment provider that it does not have adequate capacity to serve projected demand in addition of existing commitments; would result in generation of solid waste in excess of standards or landfill capacity for the project's solid waste disposal demands in addition existing commitments; or would result in noncompliance with reductions statutes and regulations related to solid waste.

As discussed in Section 3.14, it was determined that the project would have no impacts associated with the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

No consideration of cumulative impacts for this topic is warranted.

The geographic scope for the utilities and service systems cumulative impact study area includes the applicable plans and service areas of the providers serving the Austal USA facility and surrounding area. As detailed in Section 3.14.1, water service is provided to the Austal USA facility by SWA, and wastewater treatment service is provided by the National City wastewater division. The existing stormwater drainage system on the Austal USA facility is managed by the National City Stormwater Division. Electricity and natural gas are provided by SDG&E, and solid waste is transported to local landfills by National City's franchised waste hauler.

Minor amounts of water would be required during construction. Water supplied to the Austal USA facility by SWA would be sufficient to meet this need. As discussed in Section 3.14.4, it is anticipated that operation of the proposed project would require approximately 5,000 gallons of potable water annually. This would be significantly less than the projected future capacity of SWA, and the proposed project's water demand, along with the demand from past, present, and future probable projects, would not overburden the projected water supply capacity. SWA is included in the San Diego County Water Authority service area, which has a potable water supply sufficient for the expected demand through 2045 through normal, dry, and multiple dry years (SDCWA 2021). Therefore, proposed project impacts on water supplies would not be cumulatively considerable.

Wastewater collected within National City, including at the Austal USA facility, is treated at the Point Loma Wastewater Treatment Plant. Wastewater discharges associated with proposed project construction are expected to be minimal and would be adequately served by the existing water treatment facilities. Operation of the proposed project would result in sewer flows that would be less than the design capacity of the existing sewer line at the Austal USA facility. Due to the minimal quantity of wastewater projected during construction and operation compared to existing excess capacity at Point Loma Wastewater Treatment Plant, and in consideration of waste water need of past, present, and probable future projects, impacts on wastewater treatment capacity would not be cumulatively considerable. Similarly, solid waste generated by project construction and operation would be minimal compared to

daily total volumes processed at the recycling facilities and landfills in the area. Project solid waste volumes during construction and operation, when considered together with solid waste volumes from past, present, and probable future projects, would not be cumulatively considerable and would not impair solid waste reduction goals.

While waste would be generated by project construction and operations, the proposed project would not significantly impact federal, state, and local management and reduction statutes and regulations. Other past, present and probable future projects would also be required to comply with relevant federal, state, or local solid waste regulations. Therefore, proposed project impacts from project waste generation as it relates to compliance with federal, state, and local management and reduction statutes and regulations would not be cumulatively considerable.

Cumulative impacts on utilities/service systems would be less than significant.

Chapter 5 Other CEQA Considerations

5.1 Significant and Unavoidable Environmental Effects of the Proposed Project

CEQA Guidelines Section 15126.2(c) requires an EIR to describe any significant impacts, including those that can be mitigated but not reduced to a level of insignificance. Impacts for every resource category required under CEQA, with the exception of resource categories determined not to require further evaluation based on the findings of the *Initial Study* (refer to Section 1.4.1), were evaluated in Chapter 3, and mitigation measures were included for those impacts that were determined to be significant. Thresholds of significance were used to identify potential effects on the environment that could result from construction and operation of the proposed project. Using CEQA Guidelines' Appendix G, *Environmental Checklist*, evaluating environmental effects led to categorizing impacts into the following four categories:

- No impacts.
- Impacts found to be less than significant—that is, minor impacts or changes to the existing situation may occur either temporarily or permanently, but are not significant in either case.
- Impacts found to be significant but reduced to less than significant with mitigation—that is, impacts would occur, but they can be mitigated to less-than-significant levels.
- Impacts found to be significant and unavoidable—that is, significant impacts would occur and cannot be reduced to less-than-significant levels with mitigation measures.

Based on the analysis in this EIR as discussed in Chapter 3, no significant and unavoidable impacts were identified on any of the resources.

5.1.1 Significant Irreversible Environmental Changes of the Proposed Project

CEQA Guidelines Section 15126.2(d) requires an EIR to evaluate irretrievable commitments of resources to assure that consumption is justified. Uses of nonrenewable resources during the initial and continued phases of a project may be irreversible, since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement, which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with a project.

Construction of the proposed project would require an irreversible commitment of resources, such as fuel to operate construction equipment and the material used to construct pilings. The proposes project is not a large construction project that would require significant amounts of these resources, and construction would be primarily a one-time committal of these resources during construction itself, with lesser amounts of resources required as part of maintaining these structures into the future.

Project operations would include vessel repair and maintenance, which would require irreversible use of material such welding materials, blasting materials, marine coatings and solvents, and adhesives, as well as fuel to operate emergency generators. Use of these materials is a routine part of vessel repair and maintenance. Up to four vessels would be worked at the proposed project site in in a calendar year, minimizing activities that require use of these materials. Electricity required for project operations would be supplied by SDG&E but would be partially offset by power supplied by the solar panel array on the roof of the Austal USA facility operations building. The proposed project would not result in a significant, irreversible commitment of resources.

5.2 Growth-Inducing Impacts

CEQA requires an EIR to discuss any growth-inducing impacts of a proposed project (PRC Section 21100[b][5]; 14 CCR Section 15126.2[e]). An EIR must discuss the ways in which a project could directly or indirectly foster economic or population growth, or the construction of additional housing in the surrounding environment (14 CCR Section 15126.2[e]). The discussion should also describe growth-accommodating features of a project that may remove obstacles to population growth. In addition, characteristics of a project that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively, need to be addressed.

Significant growth impacts could occur if a project provides infrastructure or service capacity to accommodate growth levels beyond those permitted by local or regional plans and policies. For example, new employees hired for proposed commercial and industrial development projects, or population growth resulting from residential development projects represent direct forms of growth. A project indirectly induces growth if it would increase infrastructure capacity or facilities in an area where public services currently meet demand.

The proposed project would result in an increase in direct employment; however, this increase in employment is not expected to result in population growth or a need for new housing in the area because of the large numbers of workers available in the San Diego region that would be able to meet this demand. Both proposed project construction and operations would draw from the local labor pool. Construction workers would be required on a short-term (that is, up to a 2-month) temporary basis. Operational maintenance and repair activities at the FDD would require up to 130 new workers to be onsite during vessel availabilities (that is, when a vessel is in the FDD). Because the FDD would not be in use constantly, these 130 workers would not be new permanent full-time positions. The number of workers would be negligible compared to San Diego County's population. The proposed project is intended to help meet an existing

demand for dry dock ship repair and maintenance. It would not provide infrastructure or service capacity to accommodate economic or population growth and would not increase capacity or extend infrastructure for public use.

Therefore, the proposed project would not remove an obstacle to population growth and is not growth-inducing.

Chapter 6 Alternatives to the Proposed Project

6.1 Overview

Section 15126.6 of the CEQA Guidelines require that an EIR describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR is not required to consider alternatives which are infeasible.

6.2 Selection of Alternatives

As described in Section 2.1, the objective of the proposed project is to help the Navy address a projected shortfall of dry dock space at the NBSD. The Navy used screening factors to evaluate potential project alternatives that meet the project objectives. These screening factors included:

- Must enhance the overall availability of dry dock space for NBSD.
- Must be able support DDG-51, LCS-2, LSD-41, and/or LSD-49 class vessels to include lift capacity, loading, and utility requirements.
- Is or can be reasonably dredged to operational depth for above listed vessel types.
- Is at or near NBSD where the relevant vessels are home ported to maximize efficiency and minimize transport time and expense.

The Navy considered all potential siting locations that meet their screening criteria and then evaluated those alternatives for feasibility. The Navy identified only two locations as feasible and retained them for consideration. As identified in Section 2.1, these are Mole Pier at NBSD and South of Pier 14 (now the Austal USA facility). The Austal USA facility location is the current proposed project site which is an available location adjacent to the NBSD and is on Navy-owned property leased to Austal USA.

6.3 Alternatives Considered but Rejected as Infeasible

Austal USA's options for placing an FDD are limited to the San Diego Bay water area that it leases from the Navy or the Port. As mentioned above, the proposed project site is in the Navy lease area of the Austal USA facility. The only other alternative Austal USA can consider is placing the FDD at another location at the Austal USA facility. This is limited to the area south of

the South Pier. This area is partially within the Port lease portion of the facility rather than in the Navy lease area; however, Austal USA's in-water lease area south of the South Pier is not large enough to accommodate the FDD and placing it here would result in it being partially outside of Austal USA's facility limits. The alternative was rejected as not feasible because Austal does not have the water rights space for the FDD in this area. Also placing an FDD in this location would block vessel access to adjacent Port National City Marine Terminal facilities located south of the Austal USA facility. Specifically placing the FDD here would constrain activities at the adjacent Pasha Group facility and block waterside access to Berths 24-1 and 24-2. In addition, the location would require dredging, may require eelgrass removal, and would not substantially lessen the project effects presented in Chapter 3. In accordance with CEQA Guidelines Section 15126.6, an EIR is not required to consider alternatives that are infeasible.

6.4 Analysis of Alternatives

The only alternative to the proposed project considered for analysis is the No Project Alternative. As described in Section 6.3, no feasible alternatives to the proposed project location were identified. Although the No Project Alternative is also not feasible because it would not meet any of the project objectives and could result in adverse effects on Navy operations and preparedness, it is included as required by CEQA.

6.4.1 No Project/No Build Alternative

Under the No Project Alternative, dolphin installation, wharf construction, and placement and operation of the FDD would not occur at the Austal USA facility. Current activities at the Austal USA facility would continue. These include: minor metal fabrication to support pier-side and NBSD vessels (welding, grinding, and painting of ship components) in the operations building; Port derelict vessel operations and security vessel mooring, barge, and supply vessel storage at the North Pier; and maintenance and repair of governmental marine and commercial vessels at the South Pier.

The completed FDD, which is currently moored at the location where it would be operated at the Austal USA facility under the proposed project but is not in use, would remain on site at this location and inactive.

Under the No Project Alternative, the projected shortfall of dry dock space at NBSD may continue, which could result in deferred maintenance of vessels and/or maintenance of vessels at an off-site commercial or Navy shipyard.

The No Project Alternative is analyzed in this document in compliance with CEQA. The No Project Alternative represents the anticipated conditions if construction and operation of the proposed project were not implemented.

6.4.1.1 Aesthetics

Under the No Project Alternative there would be no changes to the visual setting. The visual setting at the Austal USA facility, which currently includes the visual presence of the inactive FDD, would be similar to baseline conditions. Impacts would be less than those that would

occur from the proposed project, which were determined to be less than significant. Because there would be no change in the visual setting, the No Project Alterative would have no impact on aesthetics.

6.4.1.2 Air Quality

Under the No Project Alternative, air emissions from the proposed project, both temporary resulting from project construction activities and long term from FDD operations, would not occur. Air emissions from activities at the Austal USA facility would be similar to baseline conditions. Impacts on air quality would be less than would occur from the proposed project. Because there would be no change in air emissions, the No Project Alterative would have no impact on air quality.

6.4.1.3 Biological Resources

Under the No Project Alternative, there would be no in-water work or other construction-related activities. The FDD would remain moored in place, but inactive. Potential construction-related impacts on marine habitats including eelgrass, fish species, green sea turtles, marine avian species, and marine mammals resulting from construction noise, physical disturbance to the marine environment, or increased water turbidity would not occur. Site operational activities would be similar to baseline conditions. Impacts would be less than would occur from the proposed project which were determined to be less than significant. Because there would be no change in site conditions, the No Project Alterative would have no impacts on biological resources.

6.4.1.4 Energy Use

Under the No Project Alternative, no increased energy consumption would be required for construction and operation of the FDD. Energy consumption at the Austal USA facility would be similar to baseline conditions. Impacts would be less than would occur from the proposed project which were determined to be less than significant. Because there would be no change in energy consumptions, the No Project Alterative would have no impact on energy use.

6.4.1.5 Geology and Soils

Under the No Project Alternative, no FDD construction or operational activities would occur and there would be no disturbance of San Diego Bay sediments. Activities at the Austal USA facility, which do not affect geology and soils, would be similar to baseline conditions. Site operational activities would be similar to baseline conditions. Impacts would be less than would occur from the proposed project which were determined to be less than significant. Because there would be no change in activities, the No Project Alterative would have no impact on geology and soils.

6.4.1.6 Greenhouse Gas Emissions

Under the No Project Alternative, there would be no increases in GHG emissions associated with FDD construction and operational activities. GHG emissions from activities the Austal USA facility would be similar to baseline conditions. GHG emissions would be less than would be emitted under the proposed project. Because there would be no change in GHG emissions, the No Project Alterative would have no GHG impacts.

6.4.1.7 Hazards and Hazardous Materials

Under the No Project Alternative, there would be no disturbance of contaminated Bay sediments or disturbance of sediment with the potential to contain munitions. There would be no increase in use of hazardous materials during FDD construction and operational activities. Hazards and hazardous material usage and hazardous waste generation from ongoing activities at the Austal USA facility would be similar to baseline conditions. Impacts would be less than would occur from the proposed project which were determined to be less than significant. Because there would no change in hazards and hazardous material use and hazardous waste generation at the Austal USA facility, the No Project Alterative would have no impacts from hazards and hazardous materials.

6.4.1.8 Hydrology and Water Quality

Under the No Project Alternative, there would be no disturbance of Bay sediments or associated increases in turbidity associated with construction and operation of the FDD. Current facility operational activities would continue to be conducted in accordance with applicable water quality permits and hydrology and water quality impacts would be similar to base line conditions. Impacts would be less than would occur from the proposed project, which were determined to be less than significant. Because there would no change in potential water quality impacts from Austal USA activities, the No Project Alterative would have no impacts on hydrology and water quality.

6.4.1.9 Noise

Under the No Project Alternative, there would be no construction noise and no new operational noise sources. Noise generated from activities at the Austal USA facility would be similar to baseline conditions. Noise impacts would be less than would occur under the proposed project, which were determined to be less than significant. Because there would be no change in noise conditions, the No Project Alterative would have no noise impacts.

6.4.1.10 Population and Housing

Under the No Project Alternative, there would be no increases in employees associated with construction and operation of the FDD. The number of employees would be similar to baseline conditions. Impacts on population and housing would be less than what would occur under the proposed project, which were determined to be less than significant. Because there would be no change in employment levels, the No Project Alterative would have no impact on population and housing.

6.4.1.11 Public Services

Under the No Project Alternative, no changes in activities or increase in employment that could require provision of new or increased fire and police protection services. Fire and police protection needs at the Austal USA facility would be similar to baseline conditions. Impact on public services would be less than would occur under the proposed project, which were determined to be less than significant. Because there would be no change in activities and employment levels, the No Project Alterative would have no impact on public services.

6.4.1.12 Transportation/Traffic

Under the No Project Alternative, no changes in activities or increase in employment would occur. There would be no change in the number of vehicles accessing the Austal USA facility and there would be no change in VMT or traffic operations. Traffic would be similar to baseline conditions. Impact on transportation/traffic would be less than what would occur under the proposed project, which were determined to be less than significant. Because there would be no increase in traffic, the No Project Alterative would have no impact on transportation/traffic.

6.4.1.13 Tribal Cultural Resources

Under the No Project Alternative, no ground-disturbing activities that could affect tribal cultural resources would occur. Because no tribal cultural resources exist on the Austal USA facility, the No Project Alterative would have no impact on tribal cultural resources. Impacts would be the same as what would occur under the proposed project, which was also determined to have no impact.

6.4.1.14 Utilities and Service Systems

Under the No Project Alternative, no changes in activities or increase in employment would occur. No new or expanded utility or service systems would be required. Utility and service system needs at the Austal USA facility would be similar to baseline conditions. Impacts on utilities and service systems would be less than what would occur under the proposed project, which were determined to be less than significant. Because there would be no changes in activities and employment levels, the No Project Alterative would have no impact on utilities and service systems.

6.4.2 Environmentally Superior Alternative

Based on the analysis in this EIR, the “environmentally superior alternative,” as that term is used in CEQA, is the No Project Alternative. If, as here, the environmentally superior alternative is the No Project Alternative, CEQA Guidelines Section 15126.6(e)(2) requires identification of an environmentally superior alternative among the other alternatives. However, no other alternatives to the proposed project besides the No Project Alternative are considered in this EIR.

Chapter 7 List of Preparers and Agencies Consulted

7.1 Lead Agency—San Diego Air Pollution Control District

- Stephen Amberg, Program Coordinator
- Kathleen Keehan, Chief, Emission Reduction Strategies
- Eric Luther, Supervising Air Resources Specialist
- Mahiany Luther, Deputy Director
- Mohsen Nazemi Chief, Engineering Division
- Michael Watt, Deputy Director

7.2 EIR Preparation—Jacobs Engineering

- Joe Aguirre, aesthetics specialist
- Loren Bloomberg, senior transportation planner
- Joza Burnam, noise, energy, and greenhouse gases
- Alfredo Cabrera Ventura, transportation planner
- Lisa Daugherty, technical editing
- Ismael Diaz, biological resources
- Melanie Dickison, air quality and health risk assessment
- Julie Froelich, senior environmental planner
- Paul Gamarra, hazardous materials
- Robert Henderson, hydrology
- Kathryn Hoagland, environmental planner
- Jeremy Hollins, senior cultural resources specialist
- Chris Hughes, primary biology specialist
- Dan Jankly, senior geologist
- Natalie Lawson, tribal cultural resources
- Andy Priest, graphics
- Carl Rykaczewski, senior environmental planner
- Pamela Vanderbilt, senior air quality
- Jason Walsh, senior environmental planner
- Brenda Weith, geology

7.3 EIR Preparation, Air Emission Calculations—Austal USA

- Hugo Bermudez, Austal USA
- Massie Hatch, MS Hatch Consulting
- Li Li, MS Hatch Consulting

7.4 Agencies and Organizations Consulted

- California Department of Fish and Wildlife Marine Region
- Native American Heritage Commission
- National Oceanic and Atmospheric Administration Fisheries

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