

Attachment C to Agenda File No. 2024-290

**SAN DIEGO UNIFIED PORT DISTRICT
DEVELOPMENT SERVICES DEPARTMENT**P.O. BOX 120488
SAN DIEGO, CA 92112-0488
(619) 686-6419**COASTAL DEVELOPMENT PERMIT AMENDMENT NO. 1****Date:** September 10, 2024**Applicant:** Jesus Puebla
Capital Project Manager, Engineering-Construction
San Diego Unified Port District
3165 Pacific Highway
San Diego, CA 92101**Project:** CDP 2010-001 B Street Shore Power Project**Location:** B Street Pier, 1140 North Harbor Drive, San Diego, CA 92101
Broadway Pier, 1000 North Harbor Drive, San Diego, CA 92101

You are hereby granted an amendment to Coastal Development Permit (CDP) CDP-2010-001. The original CDP, Clerk Document No. 55970, was issued on January 15, 2010 by Resolution No. 2010-08, in conformance with the California Coastal Act of 1976 and the CDP Regulations of the San Diego Unified Port District.

The District has determined that this amendment to the original CDP 2010-001 is a material change to the permit and, as conditioned, is fully consistent with the public access and public recreation policies of Chapter 3 and Chapter 8 of the Coastal Act and the District's certified Port Master Plan. On **DATE** by Resolution No. **2024-XXX**, the Board of Port Commissioners approved Amendment No. 1 to CDP-2010-001.

Amendment No. 1 is granted to implement the Additional South Berth Shore Power Connection Point at B Street Cruise Ship Terminal Project, which would enhance the original shore power infrastructure authorized and constructed as part of the original CDP-2010-001.

The original CDP, pertaining to the above referenced project, is amended as follows:

1. Replace Applicant with the following:

“Applicant: Jesus Puebla
Capital Project Manager, Engineering-Construction
San Diego Unified Port District
3165 Pacific Highway
San Diego, CA 92101”

2. At the end of **BACKGROUND**, insert:

“In 2020, shore power regulations became more stringent. The California Air Resources Board revised the Shore Side Power Rule, also referred to as the At-Berth Regulation, mandating that all cruise ships calling into San Diego would need to connect to shore power by January 1, 2023, with several exceptions. The 2020 At-Berth Regulation superseded the 2007 Shore Side Power Rule which remained relevant until December 31, 2022. The shore power infrastructure installed at B Street Pier and Broadway Pier from Phase 1 and Phase 2 of the Project only allows for vessels with a portside connection to utilize shore power while docked at the south berth at B Street Pier. Since completion of Phase 2 of the previous Project, it was noted that additional flexibility was needed to accommodate two cruise ships with starboard connectivity simultaneously.”

3. Under **DEVELOPMENT** and after the last bullet point under “B Street Pier”, insert:

“To enhance the existing shore power infrastructure constructed in Phase 1 and Phase 2 and allow vessels with starboard connections to access shore power at the southern berth at B Street Pier CST, the Project would consist of the following improvements:

- Installation of one (1) shore power ground switch.
- Installation of approximately 80 linear feet of under-deck conduit.
- Installation of saw-tooth shore power outlet assembly.
- Construction activities include procurement of materials, wire pulling and terminating conductors, securing equipment to the pier deck, testing, programming, and commissioning new equipment with the existing shore power system.
- Use of reels and mechanized pulling for conductor placement within the existing conduit duct bank and new under-deck conduit channel.
- Pull conductors through the previously constructed duct bank along the south berth (approximately 750 linear feet).
- Implementation of Best Management Practices (BMPs) for below deck work to ensure materials and equipment do not enter the San Diego Bay.
- Designate an approximately 50 feet by 50 feet laydown area.
- Implementation of BMPs for perimeter controls.

Construction of the alternative starboard connection is anticipated to begin in approximately Fall 2024 and occur over the course of four months.”

4. Under STANDARD PROVISIONS No. 1, replace entire provision with “Permittee shall adhere to the plans for the Project as approved by the District and the Project features, described above, for the Project.”
5. Under STANDARD PROVISIONS No. 2, replace entire provision with “Permittee shall notify the District of any changes in the Project as herein described. Notification shall be in writing and be delivered promptly to the District. The District shall determine whether or not District approval of the Project change is required prior to implementation of any changes, and if the Project change will require an amendment to this Permit.”
6. Under STANDARD PROVISIONS No. 3, replace entire provision with “Permittee and the Project shall meet all applicable codes, statutes, ordinances and regulations, and Permittee shall obtain all necessary permits from local, regional, state, and federal agencies.”
7. Under STANDARD PROVISIONS No. 4, replace entire provision with “Permittee shall conform to, and this permit is subject to, the permit rules and regulations of the District, including, but not limited to, the District’s Coastal Development Permit Regulations.”
8. Under STANDARD PROVISION No. 8, replace “Land Use Planning Department” with “Development Services Department”.
9. Under STANDARD PROVISION No. 9, replace entire provision with “The Permittee and contractor shall implement all best management practices (BMPs) during construction and maintenance operations. No non-stormwater (irrigation, wash water, etc.) may discharge to the District’s storm drains. Storm water discharges to storm drains or to Pacific Ocean are allowable, if they do not contain pollutants.”
10. Under STANDARD PROVISIONS, insert the following provisions:
 - “10. Any questions of intent or interpretation of any condition will be resolved by the District Executive Director or the Board of Port Commissioners.
11. All District tidelands are regulated under Regional Water Quality Control Board Order No. R9-2013-0001, as amended by Order Nos. R9-2015-001 and R9-2015-0100, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS0109226, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer

Systems (MS4s) Draining the Watersheds Within the San Diego Region (Municipal Permit). The Municipal Permit prohibits any activities that could degrade stormwater quality.

The Permittee shall ensure that post-construction/operational use of this Project site complies with the Municipal Permit and District direction related to permitted activities including the requirements found in the District's Jurisdictional Runoff Management Program (JRMP). The JRMP is available on the District website: <https://www.portofsandiego.org/environment/environmental-protection/stormwater> or by contacting the Environmental Protection Department at (619) 686-6254.

12. This Project may be subject to the District's post-construction BMP requirements. If so, approval of the Project by the District is necessarily conditioned upon submission by the Permittee of a specific Stormwater Quality Management Plan (SWQMP) for the Project that meets District requirements and is compliant with the District BMP Design Manual (JRMP Appendix D). If required, the Permittee shall implement all post-construction structural and non-structural BMPs in perpetuity.

The implementation and maintenance of the post-construction BMPs constitute regulatory obligations for the Permittee, and failure to comply with the Municipal Permit, the JRMP, or the District-approved SWQMP, including the specific BMPs contained therein, may be considered a violation of the permit and a violation of District Code."

11. Under SHORT TERM CONSTRUCTION MEASURES No. 3, replace "contractor" with "Permittee" and after "will" add "require the construction contractor".
12. Under SHORT TERM CONSTRUCTION MEASURES No. 12, replace entire provision with "The Permittee shall require the construction contractor to provide construction employees with transit and ride share information."
13. Under SHORT TERM CONSTRUCTION MEASURES No. 15, replace entire provision with "Permittee and/or contractor shall comply with State Water Resources Control Board Order No. 2022-0577-DWQ (NPDES General Permit No. CAS000002), and Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity (commonly known as the "Construction General Permit"), as adopted, amended, and/or modified. Construction activity subject to the Construction General Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The Permittee and/or contractor are responsible for submitting to the District a SWPPP that is compliant with the Construction General Permit and

District required minimum BMPs. The District requires the use of District SWPPP templates. Once approved, the SWPPP document shall be maintained on the construction site at all times and made available for review by the District or other regulatory agencies.

The Permittee and/or contractor is responsible for ensuring that the SWPPP document is maintained on the site, implemented, and amended as required throughout construction. No discharges of any material or waste, including potable water, wash water, dust, soil, trash, and debris, may contaminate stormwater or enter the stormwater conveyance system. Any such material that inadvertently contaminates stormwater or enters the stormwater conveyance system as part of site operations shall be removed immediately. All unauthorized discharges to the stormwater conveyance system or the Bay or the ocean shall be reported immediately to the District Stormwater Department, in order to address any regulatory permit requirements regarding spill notifications.

A project's total disturbed soil area (DSA) shall not exceed 5 acres during the rainy season (October 1 - April 30) and 17 acres during the non-rainy season (May 1 - September 30). The District may temporarily increase these limits if the individual site is in compliance with applicable stormwater regulations and the site has adequate control practices implemented to prevent stormwater pollution."

14. Under SPECIAL PROVISIONS and before SPECIAL PROVISIONS No. 1, insert:
"The following special provision is not applicable to Amendment No. 1 for CDP-2010-001."

15. Replace "Attachments" with the following:

"Exhibits:

1. Location Map
2. Overall Site Plan
3. B Street Pier Component Housing Site Plan"

If you have any questions on this permit, please contact the Development Services Department of the San Diego Unified Port District at (619) 686-6419.

RANDA CONIGLIO
Acting President/Chief Executive Officer

By: _____
Wileen Manaois
Director, Development Services

I have read and understand the reasonable terms, conditions, limitations, and provisions of this permit and agree to abide by them. I further understand that the reasonable terms, conditions, limitations, and provisions of the permit are material to its issuance by the District, and that such terms, conditions, limitations, and provisions are included to ensure consistency with applicable laws and regulations, including the Coastal Act. Any failure to abide by the reasonable terms, conditions, limitations, and provisions may result in enforcement by the District and/or the California Coastal Commission, including revocation, as may be warranted.

Signature of Permittee
Jesus Puebla
Capital Project Manager, Engineering-Construction

Date

