



*LOS ANGELES DISTRICT
U.S. ARMY CORPS OF ENGINEERS*

DEPARTMENT OF THE ARMY REGIONAL GENERAL PERMIT

Permittee: Coronado Cays Home Owners Association

Permit Number: SPL-2008-00645-PJB/RGP085

Issuing Office: Los Angeles District

Note: The term "you" and its derivatives, as used in this permit, means the permittees or any future transferee(s). The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: You are hereby granted a Regional General Permit (RGP) for routine maintenance and replacement work of docks, pilings, gangways, and associated infrastructure as described in the Coronado Cays Homeowners Association Boat Dock Removal and Replacement Project. The Project includes like-for-like repair and/or replacement of docks, piles, fenders, floats, or other infrastructure components, subject to the terms of conditions of this RGP. Up to several hundred docks will be replaced over a five-year period. The Corps will determine the eligibility and qualifications of the individual dock replacements under this RGP based on each quarterly pre-construction notice and report submitted by the Permittees. This RGP only applies to those activities covered under Section 10 of the Rivers and Harbors Act. In addition, it only applies to those individual docks under the lease to the City of Coronado and not the Unified Port of San Diego. A 401 certification was provided by the California Regional Water Quality Control Board (CRWQCB: November 7, 2008). The California Coastal Commission waived federal consistency requirements for these activities as limited to what is described in the Corps permit and subject to appeal by the agency. No dredging is authorized pursuant to this RGP.

Project Location: San Diego Bay, San Diego County, California.

Permit Conditions:

1. The Permittees shall follow, adhere to, and implement the proposed project as described in this Department of Army RGP 085 (Attachment).
2. The Permittees are authorized to perform routine wharf maintenance activities, involving only like-for-like maintenance and replacement/repair work of existing dock, piles, gangways, and infrastructure components. No dredging, discharge of fill, or increases in shading impacts are authorized.
3. No capital improvement projects, expansions, or modifications resulting in a change of the existing use of the facility are authorized by this RGP.
4. No debris, soil, silt, sand, sawdust, rubbish, cement or concrete washings thereof, oil or petroleum products from construction shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the United States. Therefore, the permittees shall employ all standard Best Management Practices to ensure that toxic materials, silt, debris, or excessive erosion do not enter waters of the United States during project construction. Upon completion of work, any excess material or debris shall be removed from the work area and disposed of in an appropriate upland site.
5. Should any federal aids to navigation (AtoN) be affected by projects authorized under this RGP, the permittees shall immediately contact the US Coast Guard.
6. If the work requires that private aids to navigation be established, the permittees or contractor should contact Mr. Brian Aldrich of the US Coast Guard at (510) 437-2983.
7. The Permittees will provide a quarterly report and annual summary of work done pursuant to this RGP as described in the project proposal and specified in Special Conditions Number 5 to the Corps, National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS), and California Department of Fish and Game (CDFG) by the 30th of January, April, July, and October of each year. Each quarterly report shall include:
 - a. A description of the project work that is scheduled to be completed in the coming quarter and/or year.
 - b. A description of the project work that was completed, including a short description of replacement structures (i.e., number of pilings, dock square footage, materials used in the maintenance and repairing of each dock).
 - c. A map showing the general location of replacement projects, eelgrass (*Zostera marina*) presence, algae [*Caulperpa taxifolia*]; caulpera] presence, and other information as applicable or requested by the agencies.

- d. A table tracking the gross (pre-construction) and net (post-construction) shade coverage and the difference between the existing and replaced square feet of dock, piling, and gangway replacements, such that a cumulative and running comparative summary is provided for all individual dock, piling, and gangway work completed.
- e. Documentation that eelgrass and caulerpa pre-construction surveys were completed.
- f. The results of pre-construction eelgrass and algae surveys.
- g. If eelgrass and / or caulerpa are identified in the pre-construction surveys, then a summary of the post-construction conditions will be included in the report.
- h. A statement of the use and availability of banked (programmatic) shading credits regarding upcoming projects directly related to this proposal. Shading banked credits will not be transferred or applied to another project.
- i. A PCN will be provided by the Permittees to the Corps on a quarterly basis to identify replacement docks, pilings, gangways, and / or associated infrastructure features. Copies of the PCN shall be included in the quarterly report.
- j. Include the Corps' RGP file number (SPL-2008-00645-PJB/RGP0085) in the quarterly report.
- k. Provide a short project description with figures and a text description including dimensions of pre- and post-construction docks, pilings, and gangways.
- l. Provide a map of the each new structure location.
- m. Provide a tentative work schedule including proposed work dates and length of in-water construction; and
- n. Include a statement regarding the use and availability of existing shading credits and compliance with all General and Special Conditions herein.
- o. A third party (consultant) shall maintain a ledger of each individual dock replacement with the change in size of each structure that has been replaced with a total of shading debits / credits to date.
- p. The Cays HOA shall provide a running total and cumulative summary of all of the proposed and completed individual owner's replacement activities for the shading ledger to the agencies with each quarterly report.

General Conditions:

1. The time limit for completing the authorized activity ends on December 10, 2014. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 90 days prior to the above date.
2. You must maintain the work activities authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below.

Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification from this permit from this office, which may require restoration of the area.

3. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided below (TRANSFEE) and forward a copy of the permit to this office to validate the transfer of this authorization.

4. A conditioned water quality certification has been issued for your project, you shall comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached to the permit.

5. You shall allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished with the terms and conditions of your permit.

6. The permittees understand and agree that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittees will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on the account of any such removal or alteration.

7. A copy of the post-survey drawings shall be sent to the following addresses:

Gerald E. Weaton Regional Manager,
West Coast and Pacific Ocean,
NOAA
DM Room 5082
400 Gigling Road
Seaside, CA 93955

and

Department of Commerce, NOAA
Nautical Data Branch
N/CS261
1315 East-West Highway
Silver Spring, MD 20910

Special Conditions:

Rivers and Harbor Act

1. The Permitted activity shall not interfere with the right of the public to free navigation on all navigable waters of the United States as defined by 33 C.F.R. Part 329.
2. The Permittees are authorized to replace existing docks within the Cays HOA. This RGP shall only authorize dock replacement resulting in a decrease, no net change, or slight increase in shading due to construction methods, materials, or compliance with Americans with Disabilities Act Standards. No dock replacement that includes expansions beyond that necessary to accommodate a boat or other modifications resulting in a change of the existing use of the facility are authorized by this RGP.
3. No dredging is authorized by this RGP.
4. The installation of creosote treated pilings is not be authorized by this RGP.
5. The Cays HOA shall with each quarterly report, list resident dock owners (in a table as described above) proposing to replace docks and other structures and provide a pre-construction notification (PCN) to the Corps, San Diego Section Office, the NMFS, USFWS, CRWQCB, and CDFG prior to the commencement of work. The Corps will review the eligibility of individual projects presented in the quarterly report under the RGP. If no response is received from the Corps within 60 days from the date of the submittal, the Permittees may assume concurrence and proceed with the proposed activities as long as the work is in compliance with all other General and Special Conditions herein, except for work during nesting season, April 1 thru September 15 (refer to Endangered Species Act Special Condition Number 27 below).
6. Each Permttee shall have a qualified biologist perform a pre-construction survey of the project area for caulerpa. Each pre-construction caulerpa survey shall be conducted in accordance with the Caulerpa Control Protocol (version 1.2b, adopted January 31, 2003, refer to: <http://swr.nmfs.noaa.gov/hcd/caulerpa/ccp.pdf>) not earlier than 90 calendar days prior to planned construction. The results of that survey shall be provided to the Corps, NMFS, and CDFG for review with the quarterly PCN submittal described in Special Condition 5 above. In the event that Caulerpa is detected within the project area, the Permittees shall not commence work until such time as the infestation has been isolated, treated, and the risk of spread is eliminated as confirmed in writing by the Corps, in consultation with NMFS and CDFG.

7. The Permittees shall have a qualified biologist perform a pre-construction eelgrass survey of the project area in accordance with NMFS Fisheries' Southern California Eelgrass Mitigation Policy (revision 11) dated July 31, 1991 (SCEMP) adopted by federal and state resource agencies. Each Permittee shall submit a report to the Corps, NMFS, and CDFG for review with the PCN submittal described in Special Condition 5 above.

8. The Permittees shall have a qualified biologist perform a post-construction eelgrass survey of the project area in accordance with the SCEMP if the pre-construction eelgrass survey documents the presence of eelgrass. The Permittees shall conduct the post-construction survey within 30 days of project completion and identify any eelgrass impacts resulting from construction. The Permittees shall provide a report to the Corps, NOAA, USFWS, and CDFG within 15 days of performing the survey. The Permittees shall provide eelgrass mitigation in accordance with the SCEMP for any eelgrass impacts identified by the post-construction survey. The mitigation plan for the post-construction impacts will be developed in consultation with the Corps, NOAA, USFWS, and CDFG and approved by the Corps. The Permittees shall be aware that mitigation to offset eelgrass impacts must be initiated within 135 days from the date of initial impact or the RGP will be revoked.

9. The Permittees shall have a qualified biologist monitor the jetting of all piles to evaluate the release of ash or other contaminants. All ash generated by the construction activities shall be contained within the confines of the silt curtain that has been employed. For the purpose of monitoring, ash release may be defined as any change in the ambient condition of the clarity of the water column visible to the naked eye or changes in the color of the turbidity. If changes related to ash occur within the confines of the silt curtain, or other signs of ash release occur, the Permittees shall suspend their activities and notify the Corps. The biological monitor shall also notify a hazardous waste team to inspect the site to determine if testing or clean-up is necessary.

10. No proposed projects with the potential for adverse shading impacts to eelgrass shall be authorized by this RGP.

11. Prior to the onset of the authorized activity, the Permittees shall implement a contractor education program to ensure that all onsite personnel are informed of the biologically sensitive resources associated with the project site and compliance with all the General and Special Conditions herein. The Permittees shall provide all onsite personnel a copy of this RGP, and require all onsite personnel to read, understand, and agree to this authorization in its entirety prior to initiation of the authorized activity. In addition, a copy of this RGP will remain with the biological monitor and on the project site posted for easy access by the work crew.

12. The Permittees shall discharge only clean construction materials suitable for use in the oceanic environment. Upon completion of the project authorized herein, any and all excess

material or debris shall be completely removed from the work area. Excess material shall be recycled, if possible. All other materials or debris shall be disposed of in an appropriate upland site.

13. The Permittees shall notify the Commander, Eleventh Coast Guard District, and the Coast Guard, Sector San Diego Lieutenant Commander Michael Leon Guerrero not less than 14 days prior to commencing work and as the project progresses. A complete set of guidelines with examples and contact information can be found at <http://www.uscg.mil/D11/DP/LnmRequest.asp> or call John Hinson at 510-437-2980. The notification, either by letter, fax, or e-mail, shall include as a minimum the following information:

- a. Project description including the type of operation (i.e., dredging, diving, construction, etc.);
- b. Location of operation, including Latitude / Longitude (NAD 83);
- c. Work start and completion dates and the expected duration of operations;
- d. Equipment and vessels involved in the operation (name, size, and type);
- e. VHF-FM radio frequencies monitored by vessels on scene;
- f. Name of Permittees company or contractor, point of contact, and 24-hour phone number;
- g. Potential hazards to navigation; and
- h. Chart number for the area of operation.

14. The Permittees and their contractor(s) shall not remove, relocate, obstruct, willfully damage, make fast to, or interfere with any aids to navigation defined at 33 C.F.R. Chapter I, subchapter C, part 66. The Permittees shall ensure his or her contractor notifies the Eleventh Coast Guard District in writing, with a copy to the Corps, not less than 30 calendar days in advance of operating any equipment adjacent to any aids to navigation, which requires relocation or removal. Should any federal aids to navigation be affected by this project, the Permittees shall submit a request, in writing, to the Corps as well as the U.S. Coast Guard, Aids to Navigation office (refer to Condition 13 above). The Permittees and their contractor(s) are prohibited from relocating or removing any aids to navigation until authorized to do so by the Corps and the U.S. Coast Guard.

15. Should the Permittees determine the work requires the placement and use of private aids to navigation in navigable waters of the U.S., the Permittees shall submit a request in writing to the Corps as well as the U.S. Coast Guard, Aids to Navigation Office in the Coast Guard Office (refer to Condition 13 above). The Permittees are prohibited from establishing private aids to navigation in navigable waters of the U.S. until authorized to do so by the Corps and the U.S. Coast Guard.

16. Upon notification to the U.S. Coast Guard as specified in the above Conditions 13, 14, and 15, the Permittees shall also forward a copy of the notification to the Coast Guard Chief, Waterways Management. The Chief, Waterways Management may modify the deployment of marine construction equipment or mooring systems to safeguard navigation during project construction. The Permittees shall direct questions concerning lighting, equipment placement, and mooring to the Chief, Waterways Management, D.K. Steadman, LCDR, U.S. Coast Guard, Chief, Waterways Management Section.

17. The Permittees shall install and maintain, at his or her own expense, any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on his or her authorized facilities. The Coast Guard may be reached at the telephone number (Condition 13) above.

18. Prior to beginning work activities, the Permittees shall install a boom and silt curtain around the project area where pile installation and removal will occur to control any debris and turbidity. The silt curtain shall remain in place until all pile installation and removal activities have been completed. The silt curtain shall be delineated on all related project figures.

19. During every pile removal and installation, a biological monitor shall be onsite throughout this specified work to monitor turbidity plumes generated by pile removal and installation activities. All turbidity generated by these construction and demolition activities shall be contained within the confines of the silt curtain that has been employed. For the purpose of monitoring, turbidity shall be defined as any change in the ambient condition of the clarity of the water column visible to the naked eye. No visible turbidity shall be allowed outside of the perimeter of the silt curtain. If visible turbidity is observed outside the perimeter of the silt curtain, the Permittees shall temporarily suspend and immediately modify their operations so they are in compliance with this condition herein. The silt curtain shall remain in place until after the jet piling has stopped and the turbidity has ceased.

20. The Permittees shall ensure that all vessel operators have a marine band radio, monitor the appropriate channel, and follow navigation rules (rules of the road) at all times.

21. The Permittees shall mark with buoys any underwater cables or anchoring systems for vessels involved with the project proposed herein.

22. Within 30 calendar days of completion of the project authorized by this RGP, the Permittees shall conduct a post-project survey indicating changes to structures and other features in navigable waters. The Permittees shall forward a copy of the survey the National Oceanic and Atmospheric Service for chart updating: Gerald E Wheaton, National Oceanic and Atmospheric Administration, Regional Manager, West Coast and Pacific Ocean, DOD Center Monterey Bay, Room 5082, Seaside, CA 93955-6711.

23. The Permittees shall allow Corps representatives to inspect the authorized activities at any time deemed necessary to ensure compliance with RGP terms and conditions.

24. The Permittees understand and agree that, if future operations by the United States require the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittees will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States because of any such removal or alteration.

25. The Permittees will submit an application to the Corps for dock replacement for those docks leased under the Unified Port of San Diego. Notification will be provided to the Regional Water Quality Board and the California Coastal Commission at the time of application.

Endangered Species Act

26. This Corps RGP does not authorize you to take any threatened or endangered species, in particular the California least tern, the brown pelican, or the green sea turtle. This RGP does not authorize you to adversely modify its designated critical habitat. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g., ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply).

27. During nesting season, from April 1 to September 15, the Permittees shall jet piles in place to reduce the potential for noise impacts. No driving of pilings is allowed at any time. As stated above, the Permittees shall install a silt curtain during removal and installation of piles to prevent turbidity and debris from leaving the project area. This condition is necessary to avoid potential impacts to the California least tern and the green sea turtle. California least tern is known to forage throughout San Diego Bay during nesting season. Green sea turtles become more active during the summer months and may be found in the vicinity of proposed project sites (refer to Special Conditions 28 and 29).

28. If a Permittee proposes to work during the California least tern nesting season, the Permittees shall notify the Corps, USFWS, NMFS, and CDFG at least 60 days prior to the start of each construction project to allow the USFWS, NMFS, or CDFG to provide project-specific comments. The Permittee shall provide the Corps, USFWS, NMFS, and CDFG with the notification information required in Special Condition 5 above. The Permittees shall not begin work until receiving written concurrence from the Corps before starting in-water construction.

29. The Permittees shall perform a visual scan of the areas visible around the project site prior to commencing pile-driving activities. The Permittees shall not begin pile-driving activities at any location if any green sea turtles, marine mammals, or brown pelican are located within the visual scan radius (area) of the authorized activities. If a green sea turtle, marine mammal, or brown pelican is observed within the safe zone prior to the start of pile-driving, the Permittees shall wait 15 minutes once the animal has left the area, re-survey, and if the animal is absent from the project area, may begin pile-driving activities. If a green sea turtle or marine mammal moves within the area after pile driving has begun, the Permittees shall continue pile-driving activities without interruption. If the intensity of the pile-driving activity needs to be increased and a green sea turtle or marine mammal is in the area of the activity, the Permittees shall use a ramp-up procedure. This procedure involves a slow increase in the intensity of pile driving. This condition is necessary to avoid impacts to green sea turtles, marine mammals, or brown pelican that may utilize habitat in the vicinity of the proposed project.

30. At the start of pile jetting for each pile at all locations, the Permittees shall strike the pile once with the hammer and allow a delay prior to the second pile strike long enough to permit adequate time for any green sea turtles, marine mammals, or brown pelican within the visual scanned area to leave prior to the start of sustained pile-driving activities.

31. A qualified biological monitor shall be present during all pile removal and installation activities that take place during the breeding season.

32. The biological monitor shall provide daily field reports to the Corps and the USFWS within 24 hours of each monitoring day during the breeding season. The biological monitor shall submit a summary field report of the project monitoring to the Corps and the USFWS after construction is concluded.

33. The Permittees shall contact Ms. Peggy Bartels of the Corps at (760) 602-4832 and the NOAA Fisheries Stranding Coordinator Mr. Joseph Cordaro at (562) 980-4017 immediately in the event of a watercraft collision with a marine mammal or sea turtle.

Cultural Resources

34. Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archeological deposits, or any other type of historic property, the Permittees shall notify the Corps' Archeology Staff within 24 hours (Steve Dibble at 213-452-3849 or John Killeen at 213-452-3861). The Permittees shall immediately suspend all work in any area(s) where potential cultural resources are discovered. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

The Permittees shall not resume construction in the area surrounding the potential cultural resources until the Corps re-authorizes project construction, per 36 C.F.R. section 800.13.

Further Information:

1. Congressional Authorities.

You have been authorized to undertake the activity described above pursuant to:

- (X) Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403).
- () Section 404 of the Clean Water Act (33 U.S.C. 1344).
- () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability.

In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Permittee's data.

The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

TRANSFEEEE

DATE



*LOS ANGELES DISTRICT
U.S. ARMY CORPS OF ENGINEERS*

**CERTIFICATION OF COMPLIANCE WITH
DEPARTMENT OF THE ARMY PERMIT**

Permit Number: SPL-2008-00645-PJB/Regional General Permit 085

Name of Permittee: Coronado Cays Homeowner Association

Date of Issuance: December 10, 2009

Upon completion of the activity authorized by this permit, sign this certification and return it to the following address:

Regulatory Branch
San Diego Section
ATTN: CESPL-CO-R-200800645-PJB
6010 Hidden Valley Road
San Diego, California 92011

Please note that your permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to comply with this permit you may be subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of said permit.

Signature of Permittee

DATE

ATTACHMENT

PERMIT APPLICATION NUMBER: SPL-2008-00654-PJB/RGP-085

Coronado Cays Homeowners Association Dock, Piling, and Gangway Replacement Project

PERMITTEE: Coronado Cays Home Owners Association

The location of the proposed Cays Home Owners Association (Cays HOA) dock, piling, and gangway replacement project is within the Cays HOA planned community and leased area from the City of Coronado, California (Figure 1). The geographical location of the project are those docks, pilings, and gangways in the jurisdiction of this city (Figure 1).

The proposed action is to replace about one half of the existing docks, pilings, gangways, and or associated structural components within the Cays HOA (Figure 2) without cumulatively increasing the current amount of shade cover of these structures over the San Diego Bay / Pacific Ocean for the life of the five-year RGP. Individual property owners may have an increase in shade coverage, however the Cays HOA will maintain an overall net zero increase in shade coverage for all docks, pilings, gangways, and / or associated infrastructure. Up to 1,600 pilings and up to several hundred private docks, pilings, gangways, and / or their associated infrastructure would be replaced during the life of the RGP within the leased area from the City of Coronado, California.

The Cays HOA will submit a PCN for dock owners that will be replacing docks, pilings, gangways, and /or associated infrastructure quarterly during each year of the five-year RGP. The quarterly PCN will be submitted at least 90 days prior to implementation of the dock, piling, gangway, and / or associated infrastructure replacement for the upcoming quarter.

In general, the docks, piles, gangways, and / or associated infrastructure will be replaced under the following conditions, when:

1. public safety is jeopardized;
 2. ability to safely berth vessels is compromised;
 3. level floatation capability is jeopardized;
 4. harmful impacts to the marine environment are not adverse;
 5. visual wear and tear including holes, tears, cracks, and other worn areas are observed;
- or
6. changes are made to the local, state, and federal accessibility regulations, such as the Americans with Disabilities Act (ADA).

Individual docks and like-for-like individual dock maintenance / replacement will occur during the life of the RGP. No expansion or reconfiguration that results in a change in the

capacity or purpose of the existing dock, piling, gangway, and / or infrastructure is authorized. At the end of the five-year RGP, there will be no net change to over-water coverage or shading coverage as indicated in baseline shading credits in Table 1. In some cases due to construction materials or methods, compliance with ADA standards, or other specific situations, there may be a slight, but temporary increase or decrease in the net square footage, in the order of plus / minus 50 square feet at any one time. However, this increase will be monitored by the Permittees, consultant, and Dock Master, and remedied to net zero increase in the square footage of the entire project area at the conclusion of the five-year RGP.

A report will be provided to the Corps four times per year on January 30, April 30, July 30, and October 30, from the date of RGP issuance during the life of the five-year RGP. A summary of the entire project will be provided to the Corps at the end of the RGP. During the construction phase of the dock, piling, gangway, and / or associated infrastructure replacement project, and at the end of each yearly quarter, the Cays HOA will summarize the progress of the replacement that was completed or is in progress during that quarter. Each quarterly report will include:

1. A description of the project work that is scheduled to be completed in the coming year.
2. A description of the project work that was completed, including a short description of replacement structures (i.e., number of pilings, dock square footage, materials used in the maintenance and repairing).
3. A map showing the general location of replacement projects, eelgrass (*Zostera marina*) presence, algae [caulpera; (*Caulperpa taxifolia*)] presence, and other pertinent information as applicable or requested by the agencies.
4. A table tracking the gross (pre-construction) and net (post-construction) shade coverage and the difference between the existing and replaced square feet of dock, piling, and gangway replacements, such that a cumulative and running comparative summary is provided for all individual dock, piling, and gangway work completed.
5. The results of pre-construction eelgrass and algae surveys.
6. If eelgrass and / or caulpera are identified in the pre-construction surveys, then a summary of the post-construction conditions will be included in the report.
7. A statement of the use and availability of banked (programmatic) shading credits regarding upcoming projects directly related to this proposal. Shading banked credits will not be transferred or applied to another project.
8. A PCN will be provided to those individual home owners that plan to replace dock, piling, gangway, and / or associated infrastructure. Copies of these should be included in the quarterly report.

Individual property owners may have an increase in coverage, however the Cays HOA will maintain an overall net zero increase in coverage. This requirement is also a condition of the Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board

(November 7, 2008, Certification No. 08C-055). The 401 Certification is required to be updated and shared with regulatory agencies quarterly. Several hundred individual Cays homeowners intend to replace their existing docks and gangways in the next five years.

In general, the construction materials that will be used in the repair and replacement of docks include those described below (which may include Omega Marine Industrial, Swift Slip Dock and Pier Builders, Inc.). The dock, pilings, and gangway replacement construction materials are described in the following paragraphs. These materials exclude materials that may present harm to public safety or to the local environment.

1. Decking that is a wood and plastic composite, made primarily from reclaimed hardwood sawdust and recycled plastic such as grocery sacks.
2. An all natural product farm-grown with the aesthetic look of teak and durability of hardwood.
3. Virgin copolymer polypropylene base material panelized decking system allowing high light penetration and low shading.
4. Dock floats may include those constructed from linear low-density polyethylene (LLPDE) resin for the outer shell and virgin foam for the lower water absorbing fill.
5. Concrete piles are either circular or square concrete pilings. These are in accordance with the Coronado Cays Home Ownership Association (CCHOA). The pilings are being replaced to be a consistent size of 12" x 12", except when safety risks require 14" x 14".
6. Cleats, rub strips, hand rails, pile guards, pile caps, gangway structural components, dock boxes, and other materials required to protect docks, pilings, and gangways all conform to CCHOA standards and requirements.

Should the shading ledger for each quarter remain in a net positive state for more than two quarters of a year, individual dock owners will use a preferred dock material, which allows high light penetration and low shading.

All materials used in the repair and replacement of docks and piles within the HOA will conform to local, state, and federal standards. The materials listed above will conform to standards and regulations as outlined in the following guiding documents:

CC&R Wharfage: Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Coronado Cays Wharfage Area for lease with the City of Coronado, California (refer to Attachments 1, 2, and 3):

Authority: <http://cchoa.org/GOVERNINGDOCUMENTS/CCRwharf.pdf>

CCHOA By-laws: <http://cchoa.org/GOVERNINGDOCUMENTS/ByLaws.pdf>

CCHOA Articles of Incorporation:

<http://cchoa.org/GOVERNINGDOCUMENTS/articles.pdf>

In addition to the above guiding documents, the following will be used:

Pilings being replaced are made of concrete, and are typically 14" x 14" and may be either round or square. They must have a minimum strength of 3,000 pounds per square inch. All reinforcing steel shall be covered by a dense concrete 3-inch minimum cover (same minimum strength applies). Penetration shall be sufficient to resist lateral loads.

Minimum standards must be met for docks and paint, and may be achieved by using either wood or plastic composite materials. When wood is used, paint will not be applied, thus eliminating the risks from paint chips entering the water. Instead, stains may be applied. Lumber framing that is used shall be pressure treated with waterborne preservatives as per American Wood Preservers Association Specification C2-latest year of approval. All cut ends and bored holes must be brushed with two coats of concentrated preservative solution before assembling. Some docks may have concrete decks as well; many docks and floats may be pre-fabricated and installed in near-complete pieces, thus eliminating any potential waste or contaminant being on-site.

Concrete docks will utilize light-weight concrete floatation. The concrete will be a minimum strength of 3,000 pounds per square inch and shall be dense and waterproof concrete. All corners inside and outside will be filleted or chambered, and if any reinforcing is used, there shall be at least 1-1/2 inches of cover over all steel. Light-weight concrete products will be used to cover the piling components and infrastructure. However, in exposed areas, the concrete covering will be designed to withstand tensile forces in the top cover. In these areas, special attention will be given to scouring the individual pontoons.

The floats used will depend on the type of dock. For some docks, polystyrene flotation may be used, provided that a minimum density of 1.5 pounds per cubic foot shall be maintained. Lower density beadboard products will not be used. Extruded products such as styrofoam with a "skin" protection shall have the end surfaces or any cut surfaces coated with safe epoxy paint or equal. Paint susceptible to chipping will not be used. The end-product will be resistant to petroleum products. Any polystyrene product, exclusive of styrofoam, will be able to demonstrate installations in San Diego Bay that have been free from bug or worm attack for a period of five years after installation. Free, uncoated styrofoam floats are not acceptable.

The docks or their parts will be transported by truck to the Cays HOA parking lot, where they will be off-loaded via a crane and placed into the water. A work-boat will then be used to push the floats to the work site. At this point, a barge will be used to transport any replacement piles (if necessary) and jet or hammer them into place inside continuous floating

silt curtains. Any removed structures would then be transported by boat back to the upland site / parking lot, removed from the water via crane, and transported to a government approved landfill.



Table I.

Estimate for Coronado Cays Dock Replacement Project

About these estimates:

Refer to Attached "Coronado Cays Specific Plan Map" for locations given below.

All replacements are required to be like-for-like; with a net-zero increase in shading.

Number of piles given are an estimate of total piles, only a fraction will be replaced.

Location	Approx. Area (sq ft)	Approx. Shade-impact† Area (sq ft)	Approx. # Piles	Eelgrass Present?*	Caulerpa Present?***
Jamacia Village	3,000	3,900	23	-	-
Green Turtle Cay	83,250	108,225	120	-	-
Antigua Village	21,450	27,885	122	-	-
Bahama Village	21,000	27,300	140	-	-
Trinidad Village	24,000	31,200	138	-	-
Kingston Village	18,200	23,660	104	-	-
Montego Village	8,600	11,180	64	-	-
Blue Anchor Cay	56,375	73,288	420	-	-
Port Royale Village	(no docks)	N/A	N/A	N/A	N/A
Mardi Gras Village	(no docks)	N/A	N/A	N/A	N/A
TOTAL	235,875	306,638	1,131		

†Shade-impact area assumed to be additional 30%

* Eelgrass is known to be distributed throughout the San Diego Bay, including areas around and within the Coronado Cays. As such, ALL projects are required to have a Pre-Construction Eelgrass Survey Conducted, and appropriate Post-Construction Survey when appropriate, in accordance with the Southern California Eelgrass Mitigation Policy (SCEMP). Results of these surveys will be incorporated into updated tables and submitted with the Quarterly Reports.

** No *Caulerpa* sp. have been detected in or around the Coronado Cays, however, all projects require a Pre-Construction *Caulerpa taxifolia* Survey in accordance with the *Caulerpa* Control Protocol (CCP). Results of these surveys will be incorporated into updated tables and submitted with the Quarterly Reports.