

RESOLUTION NUMBER R- 311155

DATE OF FINAL PASSAGE MAY 23 2017

ITEM # 339A  
5/23/17

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE MITIGATED NEGATIVE DECLARATION NO. 520687 AND ADOPTING THE MITIGATION, MONITORING, AND REPORTING PROGRAM FOR MISSION BAY DREDGING PROJECT NO. 520687.

WHEREAS, on December 21, 2016, the City of San Diego submitted an application to the City of San Diego Development Services Department for a Site Development Permit for the Mission Bay Park Navigational Safety Dredging Project – Project No. 520687 (Project); and

WHEREAS, the matter was set for public hearing to be conducted by the City Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council of the City of San Diego on May 23, 2017; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the City Council of the City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 520687 (Declaration) prepared for this Project; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State

CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the City Council of the City of San Diego in connection with the approval of the Project.

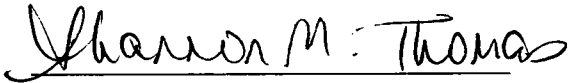
BE IT FURTHER RESOLVED, that the City Council of the City of San Diego finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council of the City of San Diego hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council of the City of San Diego in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
05/04/2017  
Or.Dept:DSD  
Doc. No.: 1497865

Attachment: Exhibit A, Mitigation, Monitoring, and Reporting Program

Passed by the Council of The City of San Diego on MAY 23 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 23 2017.

**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By *Sty Neacy*, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 311155

## EXHIBIT A

### MITIGATION MONITORING AND REPORTING PROGRAM

SITE DEVELOPMENT PERMIT NO. 1928412

PROJECT NO. 520687

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 520687 shall be made conditions of Site Development Permit No. 1928412 as may be further described below.

#### A. **GENERAL REQUIREMENTS – PART I** **Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:  
  
<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

**B. GENERAL REQUIREMENTS – PART II**

**Post Plan Check (After permit issuance/Prior to start of construction)**

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

***Qualified Biologist***

**Note:**

**Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.**

**CONTACT INFORMATION:**

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) #520687 and /or Environmental Document # 520687, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc).

**Note:**

**Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.**

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

***Not Applicable***

**4. MONITORING EXHIBITS**

All consultants are required to submit , to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline’s work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

**NOTE:**

**Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.**

**5. OTHER SUBMITTALS AND INSPECTIONS:**

The Permit Holder/Owner’s representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

<i>Issue Area</i>	<i>Document submittal</i>	<i>Assoc Inspection/Apv l</i>	<i>Notes</i>
Pre Con Meeting	Request letter	MMC approval	3 days prior to pre con
Biology	Consultant Qual. Letter Bio. Monitoring Exhibit. Protocol or other Survey	MMC approval MMC approval MMC approval	
Biology	Limit of Work Ver. Letter	MMC inspection	
Final approval	Request for Final	Final inspection	1 week after request
Bond Release	Request letter	LEMA verification	2 week minimum LEMA

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

**BIOLOGICAL RESOURCES**

**1. BIOLOGICAL RESOURCE PROTECTION DURING CONSTRUCTION**

**I. Prior to Construction**

- A. **Biologist Verification** -The owner/permittee shall provide a letter to the City’s Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San

Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

- B. **Preconstruction Meeting** - The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C. **Biological Documents** - The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.
- D. **BCME** -The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.
- E. **Avian Protection Requirements** - To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected,



a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

- F. **Resource Delineation** - Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.
- G. **Education** - Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

## II. During Construction

- A. **Monitoring**- All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/ staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be e-mailed to MMC on the 1<sup>st</sup> day of monitoring, the 1<sup>st</sup> week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

- B. **Subsequent Resource Identification** - The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

### III. Post Construction Measures

- A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

## 2. SHALLOW BAY - EELGRASS

To mitigate potential direct impacts to eelgrass to a less than significant level the following measures shall be implemented for the proposed project and the project shall implement all of the requirements of the Eelgrass Mitigation and Monitoring Plan in Support of the Mission Bay Park Navigational Safety Dredging Project, Mission Bay, San Diego, CA (Merkel & Associates 2016).

- I. Shallow – Bay Eelgrass that is impacted by the proposed project shall be replaced by planting eelgrass at a minimum rate of 1.38 acres for each 1 acre of impact. For the estimated project impact of 42.93 acres, this equates to an initial planting of 59.24 acres of eelgrass.
- II. The minimum overall success rate of eelgrass planting at the end of the monitoring period shall be a ratio of 1.2:1 which equates to 51.51 acres of eelgrass.

## 3. LEAST TERN

The following measures shall be implemented for the project to protect against detrimental edge effects to least terns:

- I. Dredging should occur from September 15 to March 31 to avoid the least tern nesting season
- II. If in-water construction must occur during the least tern nesting season (April 1 to September 15), the City should implement the following measures:

- A. Beginning April 1, the City will have a least tern biologist monitor daily for the arrival of least terns into Mission Bay, and immediately notify the Service upon their arrival. The City will coordinate with other least tern monitors in Mission Bay. The City will notify the Service via email on a daily basis as to the presence or absence of least terns in Mission Bay. The least tern biologist will be present throughout the period of in-water construction and will note the presence of least terns in Mission Bay and the work area.
- B. The City will provide a biological monitor with least tern experience on all days when in-water work is conducted after least terns arrive in Mission Bay. The biological monitor will be present throughout the period of in-water construction and will note the presence of least terns in Mission Bay and the work area, and any project-generated surface turbidity. Surface turbidity is defined as an obvious discoloration of the top 10 feet of the water column visible to the human eye. Project-generated surface turbidity shall not exceed 500 feet in length or width, or persist longer than 1 hour.
- C. In the event project-generated surface turbidity exceeds 500 feet in length or width or persists longer than 1 hour, the biological monitor will be empowered to stop project activity to allow the plume to dissipate. The biological monitor will contact the City and Service immediately after construction has been stopped. Construction will not resume until approved by the City and the Service.
- D. The biological monitor will provide daily field reports to the City and Service within 24 hours of each monitoring date. The daily field reports will include photographs showing the best management practices surrounding the work area taken during in-water work, and any incidences of plume escape or expansion outside of the silt curtain. The biological monitor will also submit a final summary report of monitoring to the City and Service within 30 days of completion of in-water work.

## **LAND USE ADJACENCY**

- 1. **MSCP SUBAREA PLAN -LAND USE ADJACENCY GUIDELINES (FOR WORK WITHIN 100 FEET OF THE MHPA)**
  - I. Prior to issuance of any construction permit or notice to proceed, DSD/ LDR, and/or MSCP staff shall verify the Applicant has accurately represented the project's design in or on the Construction Documents (CD's/CD's consist of Construction Plan Sets for Private Projects and Contract Specifications for Public Projects) are in conformance with the associated discretionary permit conditions and Exhibit "A," and also the City's Multi-Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines.

The applicant shall provide an implementing plan and include references on/in CD's of the following:

- A. **Grading/Land Development/MHPA Boundaries** - MHPA boundaries on-site and adjacent properties shall be delineated on the CDs. DSD Planning and/or MSCP staff shall ensure that all grading is included within the development footprint, specifically manufactured slopes, disturbance, and development within or adjacent to the MHPA. For projects within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
- B. **Drainage** - All new and proposed parking lots and developed areas in and adjacent to the MHPA shall be designed so they do not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- C. **Toxics/Project Staging Areas/Equipment Storage** - Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Where applicable, this requirement shall be incorporated into leases on publicly-owned property when applications for renewal occur. Provide a note in/on the CD's that states: *"All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."*
- D. **Lighting** - Lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA and be subject to City Outdoor Lighting Regulations per LDC Section 142.0740.
- E. **Barriers** - New development within or adjacent to the MHPA shall be required to provide barriers (e.g., non-invasive vegetation; rocks/boulders; 6-foot high, vinyl-coated chain link or equivalent fences/walls; and/or signage) along the MHPA boundaries to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.

- F. **Invasives-** No invasive non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- G. **Brush Management** –New development adjacent to the MHPA shall be set back from the MHPA to provide required Brush Management Zone 1 area on the building pad outside of the MHPA. Zone 2 may be located within the MHPA provided the Zone 2 management will be the responsibility of an HOA or other private entity except where narrow wildlife corridors require it to be located outside of the MHPA. Brush management zones will not be greater in size than currently required by the City’s regulations, the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done and vegetation clearing shall be prohibited within native coastal sage scrub and chaparral habitats from March 1-August 15 except where the City ADD/MMC has documented the thinning would be consist with the City’s MSCP Subarea Plan. Existing and approved projects are subject to current requirements of Municipal Code Section 142.0412.
- H. **Noise** - Due to the site's location adjacent to or within the MHPA where the Qualified Biologist has identified potential nesting habitat for listed avian species, construction noise that exceeds the maximum levels allowed shall be avoided during the breeding seasons. If construction is proposed during the breeding season for the species, U.S. Fish and Wildlife Service protocol surveys shall be required in order to determine species presence/absence. If protocol surveys are not conducted in suitable habitat during the breeding season for the aforementioned listed species, presence shall be assumed with implementation of noise attenuation and biological monitoring.

## WATER QUALITY

### 1. Water Quality

- I. The proposed work has the potential to result in short-term increases in localized turbidity in the area of project dredging and material placement for beneficial reuse. In order to minimize the potential for adverse effects of increased turbidity measures shall be taken to control turbidity generation around the dredge to an extent of not more than 500 feet of a visible turbidity plume from the dredge. Because work is needed in areas of high current flow, it is anticipated that the local turbidity plume may elongate rather than spreading radially around the dredge or fill location. Should this occur, the contractor shall be held to a comparable plume area as a radial plume of 500 foot radius, but may measure the plume as an elongated feature using the long and short axis to calculate the area of the plume as an ellipse.

- II. Should water quality limits be exceeded, the contractor shall be required to stop dredging or placing, slow the rate of work, move to a new location to work until a tidal change, or take other corrective actions to get the turbidity levels back in check.
- III. The upland staging area shall be stabilized with appropriate BMPs including a stabilized entrance, silt curtains on the staging area perimeter, and fiber rolls as appropriate to the use. Upon vacating the site the staging area will be stabilized in accordance with the project WPCP.
- IV. The distance from dredging that the plume would be allowed to extend is no more than 500 feet down-current from the dredge.
- V. If the plume extends greater than 500 feet then adaptive management measures would need to be taken to control turbidity generation. This may include slowing the dredging or placement rate, altering the excavation bucket or swing speed in hydraulic dredging, or increasing the intake pump speed relative to the cutter head rotation speed. If such measures are not effective at reducing the scale of the plume back to less than 500 feet within an hour, then work would be subject to modified in location or temporary cessation until the conditions improve. It may be necessary for a contractor to only work on some portions of the shoals during neap tides where the tidal flow spread of turbidity is minimized.
- VI. Turbidity curtains may be used at the Sail Bay reuse site where placement is through a hydraulic discharge or where bottom dump scows are used to place material over discrete portions of the site. The necessity of the curtain will be determined based on early evaluation of the turbidity generation against the 500 foot plume metric. Because the receiver sites are contained by existing topography, it is expected that subsurface placement will result in minimal turbidity spread. This being said, the Sail Bay receiver sites are far enough removed from tidal influence that these areas may support use of turbidity curtains if required by failure of the visible plume metric.
- VII. If turbidity curtains are employed, they shall be of a porous nature, allowing movement of water through the curtain, but retaining fine fraction sediments. This will minimize pressure differential within and outside of the turbidity curtains and potential for curtain ground chain drag.
- VIII. Monitoring of the dredging and placement will be completed in order to ensure that water quality action triggers are identified and that actions are taken to resolve exceedances, should they occur. The monitoring program will follow that generally employed for dredging program with more intensive monitoring early in the dredge cycles to assist in identifying problems and assessing adaptive management actions. As the program is developed, monitoring will shift to

weekly monitoring. The shift from daily to weekly monitoring will occur after the Contractor has managed to maintain consistent compliance over three consecutive daily monitoring intervals. If the Contractor falls out of compliance during a weekly monitoring interval, then the daily process will commence again until three consecutive monitoring events have been in compliance.