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SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD

Mr. Chris Means
Regional Water Quality Control Board, San Diego
9124 SkyPark Ct. 107
San Diego, CA 921

Re: Facility Inspection report 05C-041

Dear Mr. Means,

This letter is in response to the above referenced inspection report. Apparently you were not familiar with the area and made some assumptions about native conditions and the dewatering system that are not correct.

As we discussed at the time of your July 10th visit, the discharge pipe from the settling tank is part of the permitted construction dewatering system. The settling tank is designed to remove particulate matter prior to water discharge. The discharge was started two days before your visit. The afternoon of the 10th, we realized discharge over the riprap was creating a channel from the riprap to the eelgrass. To prevent that the discharge pipe was extended 30 ft further into the bay. Thus the current configuration is not what you previously saw.

The existing beach is not artificial. Beach sand under lays the entire area. In fact, if you observe the Coronado shore from the San Diego side, you will see numerous beach sand sections. By removing the man-made rubble, we exposed the underlying sand.

The removed rubble consisted of concrete and asphalt chunks. We even found an old piling. Removing this material returned the area to a more natural state. The amount of rubble material at 501 and 505 was less than that at the park area. In fact, so much oil sheen developed during removal of the park material, they stopped removing and buried the offending material in place.

Attached are photographs of the site before, during and after the work. The first photograph taken from 501 looking past 505 was submitted with the permit applications for 501. You will notice that the replacement riprap was not going to cover the entire rubble area. The native sediment would be exposed by the permitted work. The second photograph is taken from 505 looking toward 501 and the park. Please note the native beach existing prior to start of work. Also note the eelgrass and sea lettuce wrack on the

beach and rubble. This is typically found all along the Coronado shoreline, it is the result of normal water movement in the area.

The second photograph shows the excavator operating the first day. Note the entire work area is dry and the excavator can lift the rubble with minimal disturbance of the underlying material. We installed a yellow tape barrier to make delineate the limits of where the worker could walk on the shore. The third and fourth photographs show this barrier along with the cover we placed over the work site at the conclusion of each work day to prevent any stormwater runoff. In addition straw waddle was placed around the project and a brow ditch constructed to ensure no water run-off. Mr. Robert Smith, of the Port of San Diego, regularly inspected the work progress. Mr. Smith was pleased with our efforts to protect the bay during the work.

The last picture shows the area after completion of the 505 seawall. Please note the beach from 505 through 501 to the park is just a larger version of the native beach that existed throughout the rubble. I suspect the area is closer to the native state then it has been since before WWII.

We erred in not getting a 401 permit for 505, it seemed since the work was the same it was logical to use the same techniques to protect the environment and complete the work when the weather was favorable.

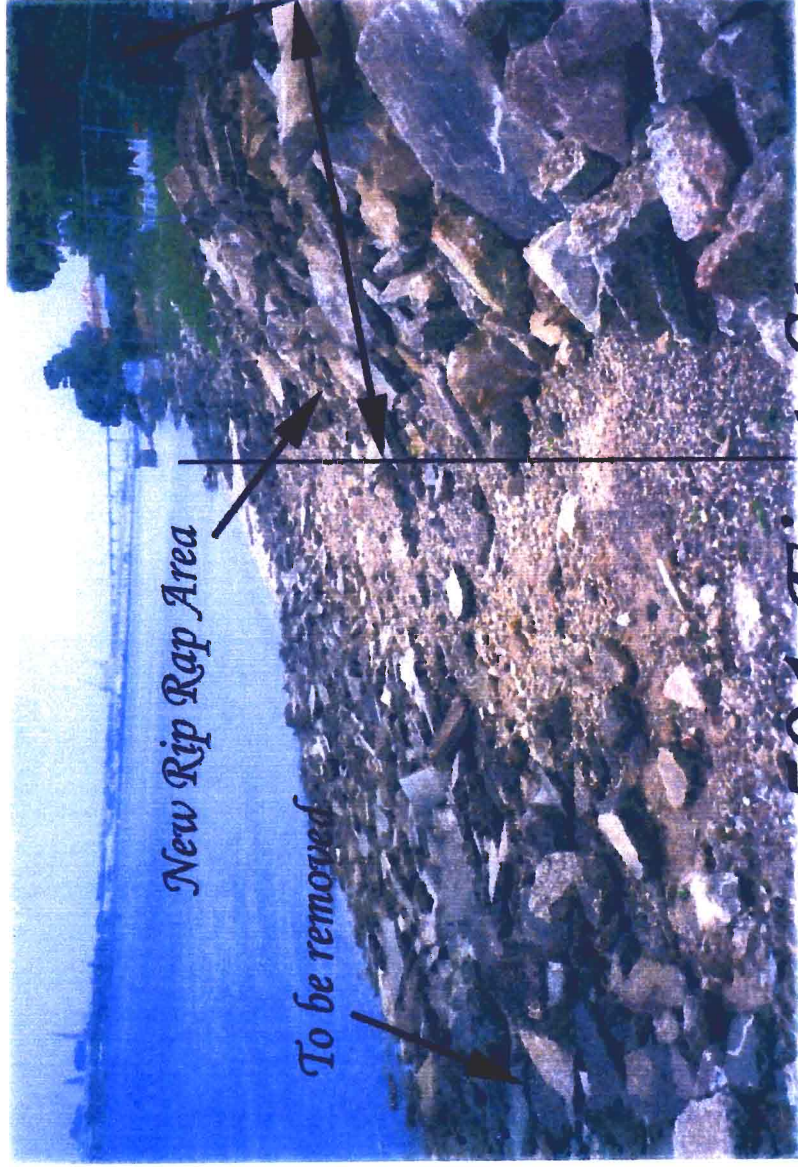
The task now is to complete the necessary legal work for the project. You indicated you wanted the area put back the way it was. Since placing concrete and asphalt rubble in the water contaminates the water restoring to the previous condition does not seem to be a permissible action. This is probably an unusual project, in that it improved the native condition and protected the water quality during construction. I assume the water board staff is not used to dealing with that situation. I want to work with you to resolve this matter.

Sincerely,

A handwritten signature in blue ink that reads "Fred C. Perry". The signature is written in a cursive, flowing style.

Fred C. Perry
Perry & Papenhausen, Inc.

Photograph submitted with 501 First St permit applications. Note proposed rip rap replacement results in more exposed sand (beach)

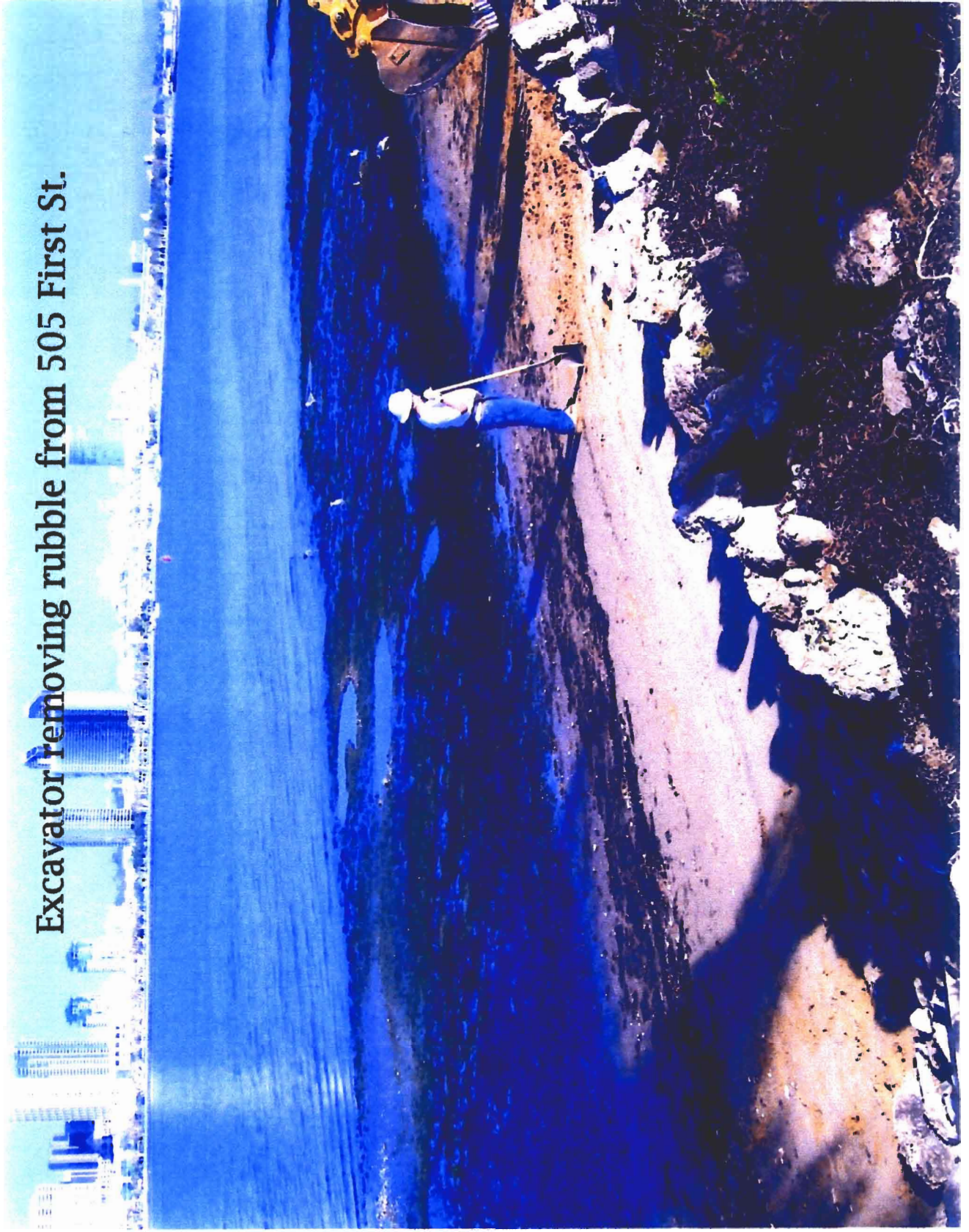


501 First St.



View looking across 505 to 501 and park
Before rubble removal, now existing beach

Excavator removing rubble from 505 First St.





Shows end of day shore protection during rubble removal



Yellow tape barrier used to prevent entry to eelgrass bed

Looking toward 501 First St. 505 seawall completed

