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## San Diego Regional Water Quality Control Board

### PUBLIC NOTICE OF INTENT TO RELY ON NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENT

**Project Applicant: Austal USA**

**Project Title: Austal USA Floating Dry Dock Project at Naval Base San Diego**

**Project Location: Naval Base San Diego, San Diego Bay, San Diego, California**

**Project Description.** Austal USA (Applicant) proposes to construction and operation of a floating dry dock facility on a commercial lease of Naval Base San Diego (NBSD) property. The Project will comprise of preparing the site as a floating dry dock mooring through the dredging of 137,000 cubic yards of material, construction of two mooring dolphins, and construction of an access wharf extending seaward from the current bulkhead. The dredge plan includes upland disposal of surface/maintenance materials (20,000 cy) and ocean disposal of underlying materials at the LA-5 Ocean Dredged Material Disposal Site (ODMDS) (117,000 cy). Project construction time is estimated to be 9 months.

**Regulatory Requirements.** The discharge of dredged or fill material to aquatic or marine environments is regulated by the Federal Water Pollution Control Act Amendments of 1972, as amended (Clean Water Act) (33 U.S.C. section 1251 et seq.). The project applicant is required to complete the proposed project in compliance with Clean Water Act (CWA) sections 401 and 404. CWA section 401 requires the project applicant to obtain a state certification (401 Certification) that the resulting discharge from the proposed project will comply with state water quality standards. CWA section 404 requires the project applicant to obtain a federal permit from the U.S. Army Corps of Engineers (USACOE) for dredged material and/or fill discharges to federal waters pursuant to protective guidelines developed jointly by USACOE and the U.S. Environmental Protection Agency (USEPA). CWA section 401 allows the state to condition or prevent a USACOE CWA section 404 permit for any project.

Austal USA has applied for a 401 Certification from the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). The Board's issuance of the 401 Certification is subject to the requirements of the California Environmental Quality Act (CEQA).

The U.S. Navy, as Lead Agency under the National Environmental Policy Act (NEPA), prepared a draft Environmental Assessment (EA) titled *Environmental Assessment for the Floating Dry Dock Project at Naval Base San Diego, San Diego, California* and circulated the document for a 30-day public comment period in October 2019. No public comments were received. Based on the EA, the U.S. Navy issued a Final EA and Finding of No Significant Impact (FONSI) (collectively, NEPA Documents) on May 26, 2020.

The San Diego Water Board, as Lead Agency under CEQA, intends to rely on the NEPA Documents previously prepared pursuant to Public Resources Code sections 21083.5, 21083.7 and 14 California Code of Regulations section 15221. The San Diego Water Board has

CELESTE CANTÚ, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

prepared a supplement to the NEPA Documents which contains an analysis of growth inducing impacts pursuant to 14 California Code of Regulations section 15221(b) because this analysis was not included in the NEPA Documents. Further, Tribal Consultation is being conducted by the San Diego Water Board. This public notice is being circulated pursuant to 14 California Code of Regulations section 15225.

**Document Availability.** Information on this matter, including the EA, tribal consultation, and growth inducing impacts, is available on the San Diego Water Board's website, in the San Diego Union Tribune and may be reviewed by contacting Eric Becker of the San Diego Water Board at the address below. This notice is available on the San Diego Water Board webpage at:

[https://www.waterboards.ca.gov/sandiego/public\\_notices/](https://www.waterboards.ca.gov/sandiego/public_notices/). The documents are also available at the San Diego Water Board's office at 2375 Northside Drive, Suite 100, San Diego, CA 92108. The San Diego Water Board is providing this notice for a 45-day public review period beginning on January 20, 2023 and will end on March 6, 2023.

Any person with questions or requests for additional information regarding this notice should contact Eric Becker at (619) 521-3364 or [Eric.Becker@waterboards.ca.gov](mailto:Eric.Becker@waterboards.ca.gov). Please bring this information to the attention of any person known to you who would be interested in this matter.

**Dated: January 20, 2023**

**Signed:**

Eric Becker P.E.  
Senior Engineer  
San Diego Regional Water Quality  
Control Board