

RESOLUTION 2016-161

RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE SHELTER ISLAND BOAT LAUNCH FACILITY IMPROVEMENTS PROJECT

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1 (Port Act); and

WHEREAS, the San Diego Unified Port District (District), as the project proponent, proposes the repair, maintenance, and replacement of the Shelter Island Boat Launch Facility (SIBLF) located at 2210 Shelter Island Drive in the City of San Diego (Project); and

WHEREAS, SIBLF is a free public boat launch facility and one of the most heavily used public boat launch facilities in San Diego Bay, with approximately 50,000 boat launches per year; and

WHEREAS, SIBLF is in need of repairs because of the corrosive and wearing actions of seawater and heavy use by boaters; and

WHEREAS, the Project generally consists of the (1) demolition and replacement of the existing 10-lane boat launch ramp; (2) partial removal of the existing rip rap mound jetties and replacement with sheet pile breakwater walls to expand the basin; (3) installation of public walking platforms with viewing areas atop the breakwater walls; (4) replacement of the existing floating docks and installation of new gangways to the floating docks; (5) improvements to the kayak launch area; (6) minor grading of the beach area to restore pre-construction beach profile; (7) restroom improvements; and (8) installation of signage and lighting; and other associated improvements; and

WHEREAS, the Project would also update the docks and public walkways to comply with current safety and ADA accessibility requirements and establish over 600 square feet of on-site eelgrass habitat; and

WHEREAS, the Project is within the District's jurisdiction and complies with all District policies and requirements; and

WHEREAS, on January 12, 2016, the Board of Port Commissioners (BPC) approved the Port Master Plan Amendment (PMPA) for the Project (Resolution No. 2016-08), on June 8, 2016, the California Coastal Commission (CCC) found the Project to be in conformance with the Chapter 3 and Chapter 8

policies of the California Coastal Act, and certified the PMPA (CCC Reference No. PMP-6-PSD-16-0001-1), on July 27, 2016, the Board adopted the PMPA as certified by the CCC for the Project (Resolution No. 2016-116) and on September 8, 2016, the CCC took final action on the PMPA, and accepted the Board's adoption of CCC certification of the PMPA; and

WHEREAS, the Project is located between the sea (as defined in the Coastal Act) and the first inland continuous road paralleling the sea, and the Project is fully consistent with Public Resources Code Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein; and

WHEREAS, the Project constitutes "development" pursuant to Section 30106 of the California Public Resources Code because, among other things, it will result in a placement or erection of structures on the Project site; and

WHEREAS, pursuant to the District's Coastal Development Permit (CDP) Regulations and the California Coastal Act, the Project requires issuance of an appealable CDP because it constitutes improvements to small craft marine-related facilities which are classified as appealable under the California Coastal Act and the CDP Regulations; and

WHEREAS, the Project is located in Planning District 1, Shelter Island/La Playa, which is delineated on Precise Plan Map Figure 4 of the certified Port Master Plan (PMP) and the Project is listed as project number 16 "Shelter Island Boat Launch Facility Improvements" on the Planning District 1 Project List (Table 7) in the certified PMP; and

WHEREAS, the PMP water use designations within the limits of the Project are "Recreational Boat Berthing" and "Open Bay" and the Project conforms to the certified PMP because it proposes redevelopment of the existing boat launch facility consistent with the existing certified water use designations; and

WHEREAS, the Project also conforms to the Precise Plan text and Project list, and is thus, consistent with the certified PMP; and

WHEREAS, the BPC find that the CDP application and attachments contain correct and accurate statements of fact; and

WHEREAS, the BPC has concluded the Project is within the District's jurisdiction and conforms to the certified PMP; and

WHEREAS, the BPC considered the appealable CDP and held a noticed public hearing on the CDP on October 13, 2016; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code Section 21000, et seq., and its implementing regulations, 14 California Code of Regulations Section 15000, et seq. (CEQA Guidelines), the potential impacts of the Project on the environment were analyzed in the Final Mitigated Negative Declaration/Initial Study (MND/IS) entitled "Shelter Island Boat Launch Facility Improvements Project and Port Master Plan Amendment" (UPD #MND-2015-38; Clerk's Document No. 63789) (State Clearinghouse No. 2015041025), which was prepared by the District as CEQA Lead Agency; and

WHEREAS, on January 12, 2016, the BPC conducted a public hearing and adopted Resolution No. 2016-07, adopting the Final MND and adopting the Mitigation Monitoring and Reporting Program (MMRP) prepared for the Project; and

WHEREAS, subsequent to the BPC's adoption of the Final MND and MMRP, minor revisions were made to the Project (Revisions) as the Project scope was reassessed by the District's Engineering-Construction Department in early preparation of the construction design process, and during that review, components of the Project were revised based on improved construction techniques and operational efficiencies; and

WHEREAS, the Revisions consist of a reduced size and number of piles required for installation of the breakwater walls, which in totality results in less environmental impact and an increase in open water, an improved method of construction to reduce the effort necessary for pile and breakwater wall installation, one less gangway, increased on-site eelgrass habitat, and minor revisions to layout and signage; and

WHEREAS, the Revisions are more particularly described in the following table, which shows the revised items in underline and items in ~~strikeout~~ represent the scope analyzed in the MND; and

Improvement	Existing Improvements			Proposed Improvements			Change in Structure Area (square feet)
	Quantity	Number of Piles	Structure Area (square feet)	Quantity	Number of Piles	Structure Area (square feet)	
Docks, abutments, and Gangways	4	10	2,100	5 4^a	46 27^b	5,100 4,620	+3,000 +2,520
West Jetty	1	-	27,120	-	-	-	-27,120
East Jetty	1	-	11,420	1	-	11,386	-34
West Sheet Pile Bulkhead Wall	-	-	-	1	473 51	456 580^c	+456 +124
East Sheet Pile Bulkhead Wall	-	-	-	1	86 31	285 330^d	+285 +45
Boat Launch Ramp	1	-	16,090 (15,600 below 7.79' MLLW)	1	-	18,430 (14,780 below 7.79' MLLW)	+2,340 (-820 below 7.79' MLLW)
Total			56,730			35,747 35,356	-20,983 -21,374^{e,f}

a. Two new docks and ~~three~~ two new prefabricated aluminum gangways to provide access from shore to the floating docks (one 34-foot standard gangway, ~~one 42-foot standard gangway~~, and one 80-foot accessible gangway to accommodate users with disabilities).

b. 17 new 16 inch diameter by 30 foot long precast concrete guide pilings, and 10 new precast 12 inch square by 40 foot long square support piles ~~16 precast concrete guide pilings that would be approximately 18 inches in diameter and 46 feet long (13 piles would be new, and 3 would be reused).~~

c. West wall measures ~~338~~ 250 feet in length.

d. East wall would be ~~460~~ 190 in length.

e. The net total of new open water area created as a result of the Project would be approximately ~~20,983~~ 21,374 square feet.

f. Approximately 15,500 square feet of the open water created is considered navigable water. Approximately 5,874 square feet of the new open water, located between the new docks and bulkhead wall and the existing revetment is considered non navigable for vessels larger than kayaks.

WHEREAS, District staff reviewed the Revisions and found that they would result in less impact to the environment than was analyzed in the MND, and fell within the scope of the Final MND; and

WHEREAS, as special condition to the proposed CDP for the Project, the District will be required to comply with all applicable mitigation measures as specified in the MMRP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners (BPC) of the San Diego Unified Port District as follows:

1. The BPC finds the facts recited above are true and further finds that this BPC has jurisdiction to consider, approve and adopt the subject of this

Resolution.

2. In general, the Project consists of the:
 - a. Demolition and replacement of the existing 10-lane boat launch ramp;
 - b. Partial removal of the existing rip rap mound jetties and replacement with sheet pile breakwater walls to expand the basin;
 - c. Installation of public walking platforms with viewing areas atop the breakwater walls;
 - d. Replacement of the existing floating docks and installation of new gangways to the floating docks;
 - e. Improvements to the kayak launch area;
 - f. Minor grading of the beach area to restore pre-construction beach profile;
 - g. Restroom improvements;
 - h. Installation of signage and lighting; and other associated improvements;
 - i. Update of the docks and public walkways to comply with current safety and ADA accessibility requirements; and
 - j. Establishment of over 600 square feet of on-site eelgrass habitat.

3. Pursuant to CEQA Guidelines §15162(b), the BPC finds that no further CEQA analysis be required for the Project as: (1) the proposed revisions are not substantial and do not require major revisions to the MND due to the involvement of new significant environmental effects or an increase in severity of previously identified significant effects; and 2) no new significant information has come to light that shows the Project will have one or more significant effects not discussed in the MND, identified significant impacts would be more severe, mitigation measures or alternatives are now feasible that were identified as infeasible and those mitigation measures or alternatives would reduce significant effects, and no changes to mitigation measures or alternatives have been identified.

4. The Project is located in Planning District 1, Shelter Island/La Playa, which is delineated on Precise Plan Map Figure 4 of the certified Port Master Plan (PMP) and the Project is listed as project number 16 "Shelter Island Boat Launch Facility Improvements" on the Planning District 1 Project List (Table 7) in the certified PMP. The PMP water use designations within the limits of the Project are "Recreational Boat Berthing" and "Open Bay" and the Project conforms to the certified PMP because it proposes redevelopment of the existing boat launch facility consistent with the existing certified water use designations. The Project also conforms to the Precise Plan text and Project list, and is thus, consistent with the certified PMP.

5. The Project is located between the sea (as defined in the Coastal Act) and the first inland continuous road paralleling the sea, and the Project is fully consistent with Public Resources Code Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein.

6. The Project within the District's jurisdiction is consistent with and conforms to the certified PMP, and, accordingly, the Executive Director or her designated representative is hereby authorized and directed to issue an appealable CDP for said Project after passage of the ten (10) working day appeal period as described in the CDP Regulations of the District. Said CDP shall require compliance with the conditions listed under the Special Provisions section of the CDP.

APPROVED AS TO FORM AND LEGALITY:

GENERAL COUNSEL


By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 13th day of October, 2016, by the following vote:

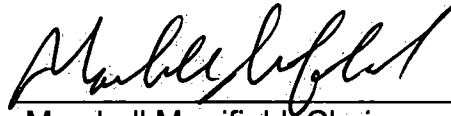
AYES: Castellanos, Merrifield, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: Bonelli and Malcolm.

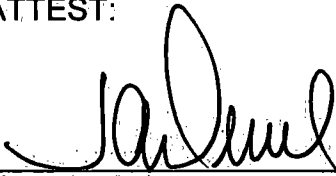
ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)