

RESOLUTION 2016-96

RESOLUTION FINDING THE PROJECT TO BE IN CONFORMANCE WITH BPC POLICY NO. 735 TO MAKE AVAILABLE DISTRICT ENVIRONMENTAL MITIGATION PROPERTY TO THE CITY OF CORONADO FOR PROJECT DEMONSTRATING EXCEPTIONAL PUBLIC BENEFIT

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 I (Port Act); and

WHEREAS, the City of Coronado (City), as the project proponent, proposes storm drain improvements running the length of I Avenue from Fourth Street to San Diego Bay in Coronado (Project); and

WHEREAS, the City will own, operate and maintain the storm drain, outfall and associated improvements and the purpose of the Project is to mitigate flooding near the intersection of Fourth Street and Alameda Boulevard that occurs during storm events; and

WHEREAS, the Project includes both landside and waterside components, with the majority of the landside components being located within the City's jurisdiction and a small portion of the landside and all waterside components being located within the District's jurisdiction; and

WHEREAS, the Project proposes installation of new inlets, construction of a new storm drain system, upsizing of an existing storm drain outfall, installation of a rock energy dissipater, and other related improvements; and

WHEREAS, the components of the Project located within the District's jurisdiction include an approximately 25-foot-long section of the new storm drain, an upsized 48-inch storm drain outfall, anchor collar, an 8-foot-long grouted rip-rap bedding, a 16-foot-long rock energy dissipater (134 square feet of rip-rap), and a 268-square-foot proposed rock rubble mitigation area; and

WHEREAS, to mitigate the impact from the additional rip-rap, the City is proposing to remove approximately 134 square feet of existing non-functioning rock rubble from an approximately 268-square-foot area located northwest of the outfall, which is located directly adjacent to the water and would provide a potential area for the future expansion of eelgrass; and

WHEREAS, the City is requesting the Board of Port Commissioners (BPC) allow for the mitigation of Project impacts to intertidal flats on District tidelands under BPC Policy No. 735; and

WHEREAS, BPC Policy No. 735 establishes requirements for the allocation of environmental mitigation property within District tidelands and states that District tidelands suitable for mitigation shall be retained for District-funded capital development and major maintenance projects; and

WHEREAS, BPC Policy No. 735, however, allows for consideration of District mitigation property to be made available to specified, non-District projects that demonstrate exceptional public benefits; and

WHEREAS, an evaluation team comprised of District staff from the Engineering-Construction, Planning & Green Port, and Real Estate Development departments has reviewed and evaluated the Project and believes it demonstrates exceptional public benefits under BPC Policy No. 735 because it would alleviate a flooding problem that has resulted in property damage; and

WHEREAS, the Project would also not affect or otherwise interfere with public access or recreational opportunities, including use of the existing park or open water areas and the proposed use of this very small mitigation area would not affect the District's ability to mitigate for its own major maintenance or capital improvement projects; and

WHEREAS, District staff recommends the Board find the Project to be in conformance with BPC Policy No. 735 to allow for the City to mitigate for impacts to intertidal flats on District tidelands.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District hereby finds the Third, Fourth, and I Avenue Storm Drain Rehabilitation Project located in the City of Coronado (City) to be in conformance with Board of Port Commissioners Policy No. 735 and finds, based on the entire administrative record, that:

a. The Project is consistent with Section 87 of the Port Act, which allows for the construction, reconstruction, repair, and maintenance of utility facilities or betterments incidental, necessary, or convenient for the promotion and accommodation of any of the uses set forth in Section 87.

b. The City has made a good faith effort to minimize the need for mitigation property by reducing impacts through Project design. The upsized outfall would be placed in the same location as the existing outfall to ensure no expansion of bay fill, and the low-flow diverter and rock energy dissipater would reduce displacement of sands into eelgrass beds.

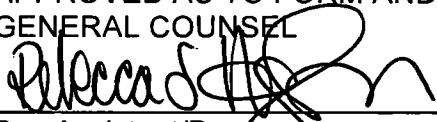
c. The City has made a good faith effort to mitigate immediately adjacent to the Project site, as well as off of District tidelands within Glorietta Bay.

d. The City has agreed to a five-year monitoring plan to ensure mitigation success.

e. The City has adequate funding to complete the mitigation.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District hereby authorizes the City to mitigate the biological resource impacts from the Project's additional rip-rap on District Environmental Mitigation Property; provided, however, District Environmental Mitigation Property shall not be used in relation to the Project for any other reason or mitigation any other impacts whatsoever.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL



By: ~~Assistant/Deputy~~

2016-96

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 15th day of June, 2016, by the following vote:

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

NAYS: None.

EXCUSED: Malcolm.

ABSENT: None.

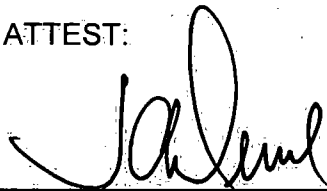
ABSTAIN: None.

RECUSED: Bonelli.



Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)