CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL

Project: Solar System Installation by San Diego Yacht Club at Shelter Island
Location: 1011 Anchorage Ln, San Diego, CA 92106
Parcel No.: 002-014
Project No.: 2020-014
Applicant: Terry Anglin, General Manager, San Diego Yacht Club, 1011 Anchorage Ln, San Diego, CA 92106
Date Approved: March 4, 2020

PROJECT DESCRIPTION

The proposed project would involve installation of solar panels on the roofs of three (3) existing buildings by San Diego Yacht Club (Applicant) in the City of San Diego, California. Work to specifically complete the proposed project would involve installation of the following improvements:

(1) Locker Building (1031 Anchorage Lane): Installation of 270 solar photovoltaic modules over the south slope of the structure's shingle gable roof.

(2) Sailing Center (1041 Anchorage Lane): Installation of 132 solar photovoltaic modules over the south slope of this structure's standing seam copper gable roof.

(3) Maintenance Building (1051 Anchorage Lane): Installation of 85 total solar photovoltaic modules in 3 array groups over the south and north slopes of this structure's shingle gable roof.

No rooftop solar system module or electrical equipment would be installed higher than the highest point of the existing buildings. The proposed modules would be mounted with proprietary hardware on iron rails and secured to the existing roof structures with lag screws. All conduits from buildings to the electrical areas exist, therefore, no trenching will be required. Construction of the proposed project would commence in Spring 2020 and would take approximately three months to complete.

Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, significant impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Applicant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

The following categorical determinations are based on the project submittal and all project information known to the District as of the date of this determination.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CATEGORICAL DETERMINATION

Categorical Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; SG §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures; SG §15311, Class 11/Section 3.i: Accessory Structures; and PRC §21080.35

3.a. Existing Facilities (SG § 15301) (Class 1): Includes operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

AND/OR

3.c. New Construction of Conversion of Small Structures (SG § 15303) (Class 3): Includes construction of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and conversion of existing small structures from one use to another with minor modifications to the exterior of the structure. Examples of this
exemption include:

2. Accessory (appurtenant) structures and mechanical equipment including, but not limited to, garages, sheds, railway spur tracks, pilings, temporary trailers, industrial equipment enclosures, fences, parking, on-site roadways, walkways and health and safety devices.

AND/OR

3.i. Accessory Structures (SG § 15311) (Class 11): Includes construction, or placement of minor structures accessory to (appurtenant to) existing facilities.

AND/OR

PRC § 21080.35

(a) Except as provided in subdivision (d), this division does not apply to the installation of a solar energy system on the roof of an existing building or at an existing parking lot.

(b) For the purposes of this section, the following terms mean the following:

(1) “Existing parking lot” means an area designated and used for parking of vehicles as of the time of the application for the solar energy system and for at least the previous two years.

(2) Solar energy system “includes all associated equipment. Associated equipment consists of parts and materials that enable the generation and use of solar electricity or solar-heated water, including any monitoring and control, safety, conversion, and emergency ression equipment necessary to connect to the customer’s electrical service or plumbing and any equipment, as well as any equipment necessary to connect the energy generated to the electrical grid, whether that connection is on site or on an adjacent parcel of the building and separated only by an improved right-of-way.” Associated equipment “does not include a substation.

(c) (1) Associated equipment shall be located on the same parcel of the building except that associated equipment necessary to connect the energy generated to the electrical grid may be located immediately adjacent to the parcel of the building or immediately adjacent to the parcel of the building and separated only by an improved right-of-way.

(2) Associated equipment shall not occupy more than 500 square feet of ground surface and the site of associated equipment shall not contain plants protected by the Native Plant Protection Act (Chapter 10 [commencing with Section 1900] of Division 2 of the Fish and Game Code).

(d) This section does not apply if the associated equipment would otherwise require one of the following:

(1) An individual federal permit pursuant to Section 401 or 404 of the federal Clean Water Act (33 U.S.C. Sec. 1341 or 1344 ) or waste discharge requirements pursuant to the Porter-Cologne Water Quality Control Act (Division 7 (commencing with Section 13000) of the Water Code ).

(2) An individual take permit for species protected under the federal Endangered Species Act of 1973 ( 16 U.S.C. Sec. 1531 et seq. ) or the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code ).

(3) A streambed alteration permit pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code.

(e) This section does not apply if the installation of a solar energy system at an existing parking lot involves either of the following:

(1) The removal of a tree required to be planted, maintained, or protected pursuant to local, state, or federal requirements, unless the tree dies and there is no requirement to replace the tree.

(2) The removal of a native tree over 25 years old.
(f) This section does not apply to any transmission or distribution facility or connection.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Sections of the District’s Guidelines for Compliance with CEQA as identified above and Public Resources Code Section 21080.35. These are appropriate for the proposed project because it consists of the installation of solar panels on existing rooves and would involve no expansion of use beyond that previously existing, would not result in a significant cumulative impact due to the continuation of the existing use, would consist of construction and location of new, small facilities on existing rooves, would not require federal agency waste discharge, take, or streambed alteration permits, and would not result in the removal of trees. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2). Additionally, none of the exceptions to the use of PRC 21080.35 are applicable.

Pursuant to CEQA Guidelines Section 15062, a 35-day statute of limitations for this CEQA exemption shall apply from the date a Notice of Exemption is posted with the San Diego County Clerk, or a 180-day statute of limitations for this CEQA exemption shall apply if no Notice of Exemption is filed.

CALIFORNIA COASTAL ACT
PORT MASTER PLAN CONSISTENCY

Planning District: 1 - Shelter Island/La Playa (Precise Plan Figure 4)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve the installation of solar panels on existing rooves, consistent with the existing certified Land use designation. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming use of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; and Section 8.c: New Construction or Conversion of Small Structures

8.a. Existing Facilities: The operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

(2) Public and private utilities used to provide electric power, natural gas, sewer, or other utility services;

(5) Additions to existing structures, provided the addition will not result in an increase of more than 50 percent of the floor area, or 2,500 square feet, whichever is less; or additions to existing structures of not more than 10,000 square feet of floor area, if the project is in an area where all public services and facilities are available to allow for the maximum development permissible in the Port Master Plan, and where the area in which the project is located is not environmentally sensitive.

AND/OR

8.c. New Construction or Conversion of Small Structures: Construction and location of limited numbers of new, small facilities or structures and installation of small, new equipment and facilities, involving negligible or no change of existing use of the property, including but not limited to:

(3) Accessory structures, including, but not limited to, on-premise signs, small parking lots, fences, walkways, swimming pools, miscellaneous work buildings, temporary trailers, small accessory piers, minor mooring facilities, buoys, floats, pilings, or similar structures; and seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar structures.
The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District's Coastal Development Permit Regulations as identified above. These are appropriate for the proposed project because it consists of the installation of solar panels on existing roofs, would involve no expansion of use beyond that previously existing, and would involve no change of existing use of the property.

Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

CALIFORNIA PUBLIC TRUST DOCTRINE

The proposed project complies with Section 87.(a)(2) of the Port Act, which allows for all visitor-serving commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

RANDA CONIGLIO
President/CEO

Determination by:
Michael Paul
Assistant Planner
Development Services

Signature:
Date: 3/4/20

Deputy General Counsel

Signature:
Date: 3/8/20