



**CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL**

Project: Fire Sprinkler System Upgrade by Bay Club Hotel and Marina at Shelter Island
Location: 2131 Shelter Island Drive, San Diego, CA 92106
Parcel No.: 002-017
Project No.: 2021-064
Applicant: Mike Ardelt, General Manager, Bay Club Hotel and Marina, 2131 Shelter Island Drive, San Diego, CA 92106
Date Approved: Aug 23, 2021

PROJECT DESCRIPTION

The proposed project would involve upgrades to the existing fire sprinkler system by the Bay Club Hotel and Marina (Tenant) in the City of San Diego, California. Work to specifically complete the proposed project would involve replacement of an existing four (4)-inch backflow device, removal of existing fire sprinkler riser and upgrade to a four-inch riser, installation of approximately 300 feet of four-inch sprinkler pipe mains to connect to existing mains, reduce pressure detector assembly, pipe hangers, valves, fittings, and seismic sway bracings, and pressure testing and inspection of the system. The proposed improvements would serve an approximately 1,500 square foot portion of the existing single level Bay Club parking garage. No relation of existing or addition of sprinkler heads would be required. Construction of the proposed project is anticipated to occur in Summer 2021 and would take approximately one (1) week 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 Tenant 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 §15302, Class 2/Section 3.b: Replacement or Reconstruction

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, including but not limited to:

- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

AND/OR

3.b. Replacement or Reconstruction (SG § 15302) (Class 2): Includes replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced.

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. These are appropriate for the proposed project because it consists of upgrades to an existing fire sprinkler system, would not result in a significant cumulative impact due to the continuation of the existing use, would consist of the replacement of existing facilities, would be located on the same site as the structure replaced, and would have substantially the same purpose and capacity. 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).

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 upgrades to an existing fire sprinkler system, 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.b: Replacement or Reconstruction

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

AND/OR

8.b. Replacement or Reconstruction: Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

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 upgrades to an existing fire sprinkler system, would involve negligible expansion of use beyond that previously existing, would be located essentially on the same site as the structure replaced, and would have substantially the same purpose and capacity as the structure replaced.

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)(4) of the Port Act, which allows for the construction, reconstruction, repair, and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary, or convenient for the promotion and accommodation of any of the uses set forth in this section. 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.

JOE STUYVESANT
President/CEO

Determination by:
Megan Hamilton
Associate Planner
Development Services

Signature: M Hamilton
Date: Aug 23, 2021

Deputy General Counsel

Signature: Rebecca Harrington
Date: Aug 23, 2021