



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

Project: Dock Pile Replacement by San Diego Yacht Club (SDYC) at SDYC Shelter Island  
Location: 1011 Anchorage Lane, San Diego, CA 92106  
Parcel No.: 002-014  
Project No.: 2021-121  
Applicant: Peter Vargas, San Diego Yacht Club, peter@sdyc.org  
Date Approved: Nov 8, 2021

**PROJECT DESCRIPTION**

The proposed project would replace one (1) existing broken concrete guide pile at the E Dock E96/E97 finger of the SDYC marina in the City of San Diego, California. The replacement pile will be a 12-inch square concrete marina guide pile matching the existing pile. Work to specifically complete the proposed project would involve:

- Removing the old pile entirely from the seabed.
- Disposing the old pile in an approved manner and to an approved disposal site.
- Loading the new pile onto a barge and transporting to the site.
- Jetting the in-kind replacement pile into place.

The project will comply with all conditions and in-water best management practices as outlined in Army Corps of Engineers (ACOE)/Regional Water Quality Control Board (RWQCB) permitting/certifications.

This structural replacement was noted and recognized as Required Work by the Port District in the SDYC 2020 year-end marina audit. Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle and barge trips and would require limited use of equipment. Therefore, 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.

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

***CATEGORICAL DETERMINATION***

Categorical Exemption(s): SG §15301, Class 1/Section 3.a: Existing Facilities and 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:

- (1) Repair, maintenance or minor alteration of existing mooring facilities, floats, piers, piles, wharves, bulkhead, revetment, buoys, or similar structures; marine terminal facilities; airport facilities; and commercial industrial, or recreational facilities.

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. This exemption includes, but is not limited to:

- (1) Replacement or reconstruction of mooring facilities, piles, floats, piers, wharves, marine ways, bulkhead, revetment, buoys, or similar structures where the new structure will be

on essentially the same site as the structure replaced and will have substantially the same size, purpose and capacity as the structure replaced.

The proposed project is determined to be Categorical Exempt pursuant to the CEQA Guidelines and the Section(s) of the District's *Guidelines for Compliance with CEQA* as identified above because the project is for the in-kind replacement of a piling and would: involve no expansion of use beyond that previously existing and would not result in a significant cumulative impact due to the continuation of the existing use; and, would consist of the replacement/reconstruction of an existing structure/facility, 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(s): 1 - Shelter Island/La Playa (Precise Plan Figure 4)

Water Use Designation(s): Recreational Boat Berthing

The proposed project conforms to the certified Port Master Plan because it would involve in-kind replacement of a piling to support a dock within a recreational marina consistent with the existing certified Land Use designation(s). The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming uses of the site.

#### ***CATEGORICAL DETERMINATION***

Categorical Exclusion(s): 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:

- (10) Repair, maintenance, or minor alteration of existing mooring facilities, floats, piers, bulkhead, revetment, buoys, or similar structures

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, including but not limited to:

- (3) Replacement, stabilization, or reconstruction of mooring facilities, floats, piers, bulkhead, revetment, shoreline protection, buoys, or similar structures

The proposed project is determined to be Categorical Excluded pursuant to the Section(s) of the District's *Coastal Development Permit Regulations* as identified above because it would involve negligible or no expansion of use beyond that previously existing, would be located essentially on the same site as the structure replaced and will 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)(1) of the Port Act, which allows for the establishment, improvement, and conduct of small boat harbors, marinas, aquatic playgrounds, and similar

recreational facilities, and for the construction, reconstruction, repair, maintenance, and operation of all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses, including, but not limited to, snack bars, cafes, restaurants, motels, launching ramps, and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways, and landscaped areas. 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  
Planner  
Development Services

Deputy General Counsel

Signature: M Hamilton  
Date: Nov 8, 2021

Signature: Rebecca Harrington  
Date: Nov 8, 2021