



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

Project: Tideland Use and Occupancy Permit to Marine Group Boat Works for Temporary Employee Parking  
Location: North of Bayside Park adjacent to Marine Group Boat Works  
Parcel No.: 031-006  
Project No.: 2022-087  
Applicant: Marine Group Boat Works, 997 G Street, Chula Vista, CA 91910  
Date Approved: Sep 26, 2022

**PROJECT DESCRIPTION**

The proposed project is a Tideland Use and Occupancy Permit (TUOP) to Marine Group Boat Works (Tenant) for their use of approximately 2,308 square feet (sq ft) of tideland area, Permit Area No. 1, (see Attachment 1 for locations) and 28,768 sq ft of tideland area, Permit Area No. 2, located to the North of Bayside Park in the city of Chula Vista, California. The area proposed for use under this TUOP is proposed to be used only and exclusively for the purpose of temporary MGBW employee parking and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. The Tenant would be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, and in all uses thereof, including those regulating stormwater and hazardous materials. No new development, construction, or increase in the size of the property is proposed or authorized as part of the TUOP.

It is anticipated that the TUOP would have a total term of approximately one (1) year. The TUOP may be terminated by the District or Tenant as a matter of right and without cause at any time upon providing thirty (30) days' notice in writing to the other party of such termination.

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: SG §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures and SG §15304, Class 4/Section 3.d: Minor Alterations to Land and

3.c. New Construction or 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.d. Minor Alterations to Land (SG § 15304) (Class 4): Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees, including, but not limited to:

- (6) Minor temporary use of land having negligible or no permanent effects on the environment.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section of the District's *Guidelines for Compliance with CEQA* as identified above. This is appropriate for the proposed project because it would result in no permanent effects on the environment, and would not involve the removal of mature, scenic 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).

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: 7 - Chula Vista Bayfront (Precise Plan Figure 19)

Land Use Designation: Park/Plaza

The proposed project conforms to the certified Port Master Plan because it would involve use of permit areas for temporary employee parking 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 uses of the site.

### ***CATEGORICAL DETERMINATION***

Categorical Exclusions: Section 8.c: New Construction or Conversion of Small Structures and Section 8.d: Minor Alterations to Land

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

AND/OR

8.d. Minor Alterations to Land: Minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of mature, scenic trees.

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 would involve negligible or no change of existing use of the property and would not involve the removal of mature, scenic trees.

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)(6) 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:  
Abigail Haynam  
Assistant Planner  
Development Services

Signature: Abigail Haynam  
Date: Sep 26, 2022

Deputy/Assistant General Counsel

Signature: Rebecca Harrington  
Date: Sep 26, 2022

Attachment:

Attachment 1: Marine Group Boat Works TUOP Permit Areas

# DISTRICT TIDELANDS

031-001  
PARCEL NO. 2

031-001  
THE MARINE GROUP  
dba MARINE GROUP  
BOAT WORKS  
PARCEL NO. 1

**PERMIT AREA  
NO. 2  
28,768 SQ. FT.  
(0.660 ACRE)**

**PERMIT AREA  
NO. 1  
2,308 SQ. FT.  
(0.053 ACRE)**

**G STREET**

**QUAY AVE**

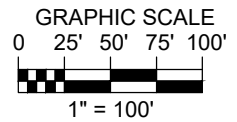
031-009  
SDUPD

031-006  
SDUPD

**SAN DIEGO BAY**

**NOTES:**

1. PERMIT AREA SHOWN SHADED.
2. THIS DRAWING IS FOR ILLUSTRATIVE PURPOSES ONLY AND DOES NOT REPRESENT A SURVEY.



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CHECKED \_\_\_\_\_

REVIEWED \_\_\_\_\_

**SAN DIEGO UNIFIED PORT DISTRICT**  
**TIDELAND USE AND OCCUPANCY PERMIT**  
**WITHIN CORPORATE LIMITS OF CHULA VISTA**  
**MARINE GROUP BOAT WORKS, LLC**

DATE AUGUST 16, 2022

SCALE 1"=160'

REF. \_\_\_\_\_

DRAWING NO.  
SHEET 1 OF 1  
**031-051**