



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

Project: Replacement of Decking Material by Bartell Hotels dba Shelter Island Marina at Shelter Island Marina  
Location: 2071 Shelter Island Drive, San Diego, CA 92106  
Parcel No.: 002-019  
Project No.: 2023-049  
Applicant: Joe Ravitch, Dockmaster, Shelter Island Marina, 2071 Shelter Island Drive, San Diego, CA 92106  
Date Approved: 05/10/2023

**PROJECT DESCRIPTION**

The proposed project would involve the replacement of decking material by Shelter Island Marina (Applicant) in the city of San Diego, California. The proposed project would involve the replacement in kind of the old wooden dock boards on Docks 100, 200, 400 and 500 at Shelter Island Marina and the replacement in kind of the main walkway connecting those docks with IPE decking boards. IPE is a durable Brazilian hardwood that would match the material of similar replacements the applicant has conducted in previous years.

This project would be completed in two phases:

Phase 1, which would cover Docks 100 and 200, would involve the removal of approximately 15,900 square feet (2,000 linear feet) of wooden boards to be replaced with new IPE decking boards. Phase 1 would also involve the removal of approximately 2,000 linear feet of treated timber such as joists and cribbing to be replaced with IPE materials. New Bluewater Marine cleats would be installed as needed at these dock sites.

Phase 2, which would cover Docks 400 and 500, would involve the removal of approximately 16,100 square feet (2,000 linear feet) of wooden boards to be replaced with new IPE decking boards. Phase 2 would also involve the removal of approximately 2,000 linear feet of treated timber such as joists and cribbing to be replaced with IPE materials. New Bluewater Marine cleats would be installed as needed at these dock sites.

The majority of the materials needed for this project would be stored and staged at the Bluewater Marine facility in Santee until they are needed for construction at the project site. The construction team would bring the materials needed for the day's scope of work with them and store the materials on a small floating asset next to the project work area. Up to two (2) vehicles would be needed each day to complete this work and transport construction materials. These vehicles would park within the existing parking lot within the Applicant's leasehold. Equipment such as hand tools, drills, saws, screw guns, hammers, and pry bars would be utilized to complete this project.

Construction of Phase 1 is anticipated to occur in Spring 2023 and would take approximately forty-five (45) days to complete. Construction of Phase 2 is anticipated to occur in early 2024 and would take approximately forty-five (45) days 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, 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 Exemptions: 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 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:

- (2) Replacement or reconstruction of marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, piles, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; electrical and mechanical systems and equipment; where the new structure will be on essentially 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 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 would involve no expansion of use beyond that previously existing and would involve the replacement of decking materials at Shelter Island Marina. 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 and Water Use Designations: Commercial Recreation and Recreational Boat Berthing

The proposed project conforms to the certified Port Master Plan because it would involve the replacement of decking materials consistent with the existing certified Land and Water use designations. 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.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 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 no expansion of use beyond that previously existing and would replace decking materials to the same purpose and capacity as those existing.

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 a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. 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: 05/10/2023

Assistant/Deputy General Counsel

Signature: [Signature]  
Date: 05/10/2023