



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

Project: Repair to Concrete Breakwater by Marine Group Boat Works, LLC in Chula Vista  
Location: 997 G Street, Chula Vista, CA 91910  
Parcel No.: 3307-B  
Project No.: 2023-064  
Applicant: Todd Roberts, President, Marine Group Boat Works, LLC, 997 G Street, Chula Vista, CA 91910; (619) 427-6783  
Date Approved: 05/04/2023

**PROJECT DESCRIPTION**

The proposed project would involve repairs to a damaged concrete breakwater by Marine Group Boat Works, LLC (Applicant) in the city of Chula Vista, California. A recent inspection showed that the structural integrity of the concrete breakwater was compromised after a tugboat collided with it in late 2022. The concrete breakwater surrounds and protects the Marine Group Boat Works marina basin and shoreline structures from ocean waves, and it consists of vertical and batter piles, and precast and cast-in-place reinforced components totaling approximately 918 feet in length. The impact of the accident resulted in four (4) broken concrete pilings, the shift of the existing plumb piles out of alignment, and three (3) broken precast wall panels. The proposed project would remove and replace in-kind components of the breakwater between bents 8-11 to ensure it is structurally sound.

Work to specifically complete the proposed project would involve the following:

- Remove and replace total of four (4) broken piling, consisting of two (2) 16-inch square battered piling and two (2) 16-inch octagonal plumb piling
- Remove and replace three (3) broken precast wall panels
- Remove and replace two (2) precast
- Install new cast-in-place concrete cap

The new piles would be installed by water jetting and driving the piles into position. Precast pile jackets would be cast off-site and installed over the two (2) new plumb pilings. After the pile jackets are installed, new precast wall panels would be set into the pile jackets pockets and grouted into position. To tie the breakwater wall together, a new cast-in-place concrete cap would be constructed on the top of the wall panels and piles from bents 8-11.

Construction of the proposed project is anticipated to occur in approximately Fall 2023 and would take approximately 60 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 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.

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**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; and SG §15304, Class 4/Section 3.d: Minor Alterations to Land

- 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.
- (9) Restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment to meet current standards of public health and safety or permit requirements, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.

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.

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.

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 repairs to an existing concrete breakwater that would involve no expansion of use beyond that previously existing, would consist of the replacement of an existing structure, and would result in no permanent effects on the environment. 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)

Water Use Designation: Recreational Boat Berthing

The proposed project conforms to the certified Port Master Plan because it would involve repairs to an existing concrete breakwater consistent with the existing certified water 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.a: Existing Facilities; Section 8.b: Replacement or Reconstruction; and Section 8.d: Minor Alterations to Land

- 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:

- (4) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health, safety, District policy, or as required by contractual conditions
- (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.

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 consist of repairs to an existing concrete breakwater that would involve a negligible 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, 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)(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:  
Lillian Mattes  
Assistant Planner  
Development Services

Signature: Lillian Mattes  
Date: 05/04/2023

Deputy/Assistant General Counsel

Signature: Simon Kayu  
Date: 05/04/2023