



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

Project: Cleat Repairs by San Diego Unified Port District at B Street Cruise Ship Terminal
Location: 1140 N Harbor Dr, San Diego, CA 92101
Parcel No.: 104-145 and 018-113
Project No.: 2023-080
Applicant: Jesus Puebla, Capital Project Manager, Department of Engineering Construction, San Diego Unified Port District, 3165 Pacific Hwy, San Diego, California 92101
Date Approved: 08/22/2023

PROJECT DESCRIPTION

The proposed project would involve cleat repairs at B Street Pier by the San Diego Unified Port District (District) in the city of San Diego, California. Work to specifically complete the proposed project would involve the demolition and disposal of two (2) broken cleats located at the South and West ends of B Street Pier. The cleats would be replaced with two (2) new T-head bollards which would be installed by drilling holes (approximately 2-feet in depth) into the concrete to set the new anchor bolts in place. The anchor bolts would be cut to the appropriate length and set with high-strength epoxy adhesive. Once the anchor bolts and T-head bollards are in place, concrete dry pack would fill the bollard cavity and drilling holes from the anchor bolts. The new T-head bollards would be painted to match the existing.

Construction of the proposed project is anticipated to occur in approximately September 2023 and would take approximately 1-2 weeks to complete with ongoing maintenance as needed. Workers would require the temporary use of approximately one (1) parking stall to gain access to B Street Pier during construction, and there would be no impacts to cruise ship terminal operations. 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 District 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: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with the CEQA Section 3.a: Existing Facilities and CEQA Guidelines Section 15302 (Class 2)/District Guidelines for Compliance with the CEQA Section 3.b: Replacement or Reconstruction

- 3.a. Existing Facilities: 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: 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.
- (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 Categorical Exempt pursuant to the CEQA Guidelines and the Sections of the District's *Guidelines for Compliance with the CEQA* as identified above. These are appropriate for the proposed project because it would involve the repair and replacement of existing mooring facilities involving no expansion of use beyond that previously existing. 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: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Marine Terminal

The proposed project conforms to the certified Port Master Plan because it would involve the repair and replacement of existing mooring facilities 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.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.

- (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 Sections of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because it would involve the repair and replacement of existing mooring facilities consisting of negligible or no expansion of use beyond that previously 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.

RANDA CONIGLIO
Acting President/CEO

Determination by:
Lillian Mattes
Assistant Planner
Development Services

Signature: Lillian Mattes
Date: 08/22/2023

Assistant/Deputy General Counsel

Signature: Shiraz D. Tangri
Date: 08/22/2023