



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

Project: Replacement of Existing Gangway at Sunroad Harbor Island Marina
Location: 955 Harbor Island Drive, Unit 100, San Diego, CA 92102
Parcel No.: 007-019
Project No.: 2023-110
Applicant: Michael Rawlings, Business Development, Bluewater Marine & Dock Specialties,
10520 Kenny Street, Suite B, Santee, CA 92071; (619) 994-0366
Date Approved: 12/06/2023

PROJECT DESCRIPTION

The proposed project would involve the replacement of an existing floating dock structure by Sunroad Harbor Island Marina (Tenant) in the city of San Diego, California. Work to specifically complete the proposed project would involve removing the existing gangway and installing a new gangway that is compliant with the Americans with Disability Act (ADA) Standards for Accessible Design. The existing gangway is non-ADA-compliant due to steepness, and it measures approximately 49.5 ft x 2 ft. The existing gangway would be removed and replaced with a new gangway measuring 80 ft x 6 ft. The new gangway would be angled horizontally for the longer and flatter gangway to fit within the marina's leasehold. In addition, a small 20 ft x 8 ft floating dock platform would be added to support the waterside of the gangway so as not to impede the pedestrian pathway on the existing dock walkway. The proposed project would also consist of modifying the existing concrete abutment by adding a steel platform to support the landside of the gangway.

No dredging, pile work, additional slips or dock spaces are proposed. All existing piles would remain in place. The existing concrete abutment would remain, and no additional landside structures are proposed. Due to a longer gangway and a small landing platform, the overall net shading increase is approximated to be 125 square feet. The proposed project would utilize a Fiber Grate Micro Mesh material for the new gangway. This material transmits up to 45% of incoming light, effectively reducing the shading. The proposed Micro Mesh deck material was presented to the Army Corps of Engineers (ACOE) and Regional Water Quality Control Board (RWQCB) for concurrence, and both regulatory agencies believe the shading is acceptable due to the type of decking material proposed for installation. Per direction from ACOE, the Tenant would be required to perform a pre and post construction eelgrass survey for the proposed project in compliance with all requirements of the California Eelgrass Mitigation Policy (CEMP) (NMFS 2014). Per direction from RWQCB, the Tenant shall implement Best Management Practices (BMPs) to prevent discharge to San Diego Bay during construction.

Construction of the proposed project is anticipated to occur in approximately Winter 2023 and would take approximately two (2) weeks to complete. Installation of the new gangway and floating dock would require a 180-ton crane that would be staged on-site for two (2) days in the Sunroad Marina parking lot. All project staging would occur within the Tenant's leasehold. A truck would deliver the new gangway and pick up the old gangway on the same day. The small floating dock would be installed in-water using a small 18' work boat. A crew of 4 men would be required to complete this work.

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.

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. 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 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 consist of the replacement and reconstruction of an existing floating dock structure to become ADA-compliant, would be located on the same site as the structure replaced, and would involve negligible 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: 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9)

Water Use Designation: Recreational Boat Berthing

The proposed project conforms to the certified Port Master Plan because it would involve the replacement of an existing floating dock structure 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 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 Sections of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because it would consist of the replacement of an existing dock structure to become ADA-compliant, would be located on essentially 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 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: 12/06/2023

Deputy/Assistant General Counsel

Signature: [Signature]
Date: 12/06/2023