



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

Project: USS Midway Mooring Retrofit and Easement
Location: 910 N. Harbor Drive, San Diego CA 92101
Parcel No.: 018-097 and 018-094
Project No.: 2025-066
Applicant: John Bentley, Capital Project Manager, USS Midway Museum, 910 N. Harbor Drive, San Diego CA 92101, 619-335-3460

Date Approved: 9/29/2025

PROJECT DESCRIPTION

The proposed project is the installation of four mooring bollards and associated mooring lines, and an associated Right of Entry License Agreement (ROELA) to USS Midway Museum, a California nonprofit corporation, its successors and assigns (Grantee), located on Navy Pier in San Diego, California. The area proposed for use under this ROELA would be for the purposes of construction, operation, maintenance, repair, replacement, and inspection of two pier bollards and related appurtenances along the southern brow of Navy Pier. The other two bollards are proposed to be placed within the existing USS Midway Museum leasehold on Navy Pier. All four bollards would serve to continue to moor the existing USS Midway Museum in its current location.

Work to complete the project would more specifically include:

- Removal of loose materials on the surface of the deck that inhibit bond such as plaster, laitance, duct, dirt, oil, curing compound, existing paint or coatings;
- Removal of pavement with the proposed pavement layout and jointing plans on civil drawings;
- Installation of four new bollards, approximately 3 square feet and 2 feet tall, on the south berth of the Navy pier; and
- Replacement of six existing mooring lines and installation of seven new mooring lines.

It is anticipated that construction will take place between September 2025 and February 2026 and would consist of a construction crew ranging from approximately 5 to 15 people. Construction staging would occur within the USS Midway Museum Leasehold and would not impact or impede public access. It is anticipated that the Easement would commence concurrently with the start of construction, and would allow for the ongoing non-exclusive use of the bollards.

Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle and truck trips and would require limited use of construction equipment. Vehicle and truck trips would be associated with transport of inspectors and equipment. Therefore, no impacts would occur. Any disturbed surfaces would be restored to pre-project conditions. Furthermore, the Licensee would be responsible for abiding by and conforming to all laws and regulations associated with the activities on or in connection with the above-described premises, including 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 Exemption(s): Class 1 - Existing Facilities (CEQA Guidelines § 15301; District Guidelines § 3.a.); and CEQA Guidelines Section 15303 (Class 3)/District Guidelines for Compliance with CEQA Section 3.c: New Construction or Conversion of Small Structures

Class 1 - Existing Facilities (CEQA Guidelines § 15301; District Guidelines § 3.a.): 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

Class 2 - 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.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section(s) of the District's *Guidelines for Compliance with CEQA* as identified above. These are appropriate for the proposed project because the project involves the installation of four bollards, and associated easement, in order to continue to moor the existing USS Midway Museum in its current location, and would involve negligible or no expansion of use beyond that previously existing and would not have any 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 § 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 AND CATEGORICAL DETERMINATION

The above project proposes the installation of four mooring bollards by, and an associated non-exclusive Easement that would involve no expansion of use beyond that previously existing. The project site is located in an area that has not been incorporated into the Port Master Plan and is therefore not within the District's coastal development permitting jurisdiction. The project site is within the coastal development permitting jurisdiction of the California Coastal Commission (CCC) and approval of the project must be obtained from that agency. As such, on August 4, 2025, CCC staff issued Waiver No. 6-25-0538-W, waiving the requirement for a Coastal Development Permit


pursuant to Section 13250(c), Section 13252(e), or Section 13253(c), Title 14, California Code of Regulations. CDP Waiver 6-25-0538-W was reported to the California Coastal Commission on August 15, 2025 and became effective as of that date.

CALIFORNIA PUBLIC TRUST DOCTRINE


The proposed project complies with Section 87 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.

SCOTT CHADWICK
President/CEO

Determination by:
Juliette Orozco
Program Manager
Development Services

Signature: 
Date: 9/29/2025

Assistant/Deputy General Counsel

Signature: 
Date: 9/24/2025