



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

Project: Dock Finger Removal and Replacement by C&W Diving Services, Inc. at Tuna Harbor
Location: 600 Embarcadero, San Diego, CA 92101
Parcel No.: 018-135
Project No.: 2025-142a
Applicant: Elliot West, President, C&W Diving Services, Inc., 3561 Dalbergia Street, San Diego, CA 92113; (619) 474-2700
Date Approved: 5/19/2026

PROJECT DESCRIPTION

The proposed project would involve the removal and replacement of two (2) dock fingers by C&W Diving Services, Inc. (Applicant) at Tuna Harbor Dock 3 in the city of San Diego, California. A Coastal Act Categorical Determination of Exclusion (Project No. 2025-142) was issued previously for the removal and replacement of existing dock fingers at Tuna Harbor on February 19, 2026. This amendment is necessary to include the issuance of a Right of Entry (ROE) permit to enter certain property located at Tuna Harbor.

The area proposed under the ROE would be accessed by the Applicant and their authorized agent(s) and contractor(s) for the use of construction related equipment for the removal, repair, and replacement of two (2) existing finger docks previously damaged by the Applicant, as well as ingress and egress in support of those activities. It is anticipated that the ROE would have a total term of approximately three (3) months, or upon completion of the work, whichever occurs earlier. The ROE may be terminated by the District, or by Applicant as a matter of right and without cause at any time upon providing twenty-four (24) hours' written notice to the other party of such termination.

Work to specifically complete the proposed project would remain the same as previously approved, which would involve the removal of two (2) existing dock fingers, damaged as a result of a sinking vessel while moored, and the in-kind replacement with new, 50' by approximately 4'5" dock fingers to match those previously existing. The damaged dock fingers would be replaced by prefabricated modular components that would be delivered and offloaded using a crane, and secured to the main walkway at Dock 3. The replacement of the damaged dock fingers would result in no changes to overwater coverage and would not involve any shoreside work, pile drilling activities, or dredging.

Construction of the proposed project is anticipated to occur in Summer 2026, and would take approximately 10 days to complete, with ongoing maintenance as needed. Equipment required to complete the proposed project would include, but not be limited to, a forklift for moving material, a work boat for moving dock fingers into place, and hand and power tools for securing the new fingers to the main dock. The crane required to remove any demolition materials or finger remnants and to offload new finger assemblies for installation would be on-site for one (1) day. Completion of the proposed project would require a crew of approximately five (5) personnel.

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.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CATEGORICAL DETERMINATION

Categorical Exemptions: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with CEQA Section 3.a: Existing Facilities and CEQA Guidelines Section 15302 (Class

2)/District Guidelines for Compliance with 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.
- (4) New and renewed short-term tenancy agreements which do not result in change in the existing use. This exemption does not apply to any new development associated with the activities of the tenant. This exception is also inapplicable if the cumulative impact of continuing the existing use or conditions in the same place, over time, is significant.

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 because the issuance of an ROE for the removal and in-kind replacement of damaged dock fingers would involve no expansion of use beyond that previously existing, would not result in a significant cumulative impact due to the continuation of the existing use, and would consist of the replacement of existing structures that would be located on the same site as the structures replaced and would have substantially the same purpose and capacity. 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)

Water Use Designation: Commercial Fishing Berthing

The proposed project conforms to the certified Port Master Plan because it would involve the removal and in-kind replacement of damaged dock fingers 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:

- (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.

- (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 because it would consist of the removal and in-kind replacement of damaged dock fingers that would involve no expansion of use beyond that previously existing, and would be located essentially on the same site as the structures replaced and will have substantially the same purpose and capacity as the structures 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.

SCOTT CHADWICK
President/CEO

Determination by:
Davin Cox
Planner I
Development Services

Signature: _____
Date: 5/19/2026

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 5/19/2026