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PORT of SAN DIEGO
Waterfront of Opportunity

CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL

Project:	Exterior and Interior Improvements by The Olde Boatyard, LLC at Shelter Island
Location:	2608 Shelter Island Drive, San Diego, CA 92106
Parcel No.:	003-033
Project No.:	2026-133
Applicant:	Jeff Brown, Owner, Jeff Brown Yachts, 2330 Shelter Island Drive, Suite 105, San Diego, CA 92106; (619) 222-9899
Date:	11/3/2026

PROJECT DESCRIPTION

In September 2026, the San Diego Unified Port District (District) was made aware of certain work, consists of various exterior and interior improvements, primarily consisting of the removal and replacement of existing furniture, fixtures, and equipment, were completed in early 2026 by The Olde Boatyard, LLC (Applicant) without the benefit of District-issued permits or approvals at 2330 Shelter Island Drive in the city of San Diego, California. The following work was completed at the project site:

- Removal and replacement of existing doors, windows, exterior and interior lighting fixtures, and landscaping;
- Repainting of the East and West buildings;
- Rehabilitation of waterproofing and flashing issues;
- Removal and replacement of gutters and downspouts;
- Removal and replacement of on-site bathroom plumbing fixtures;
- Rework of electrical and mechanical systems in the East and West buildings;
- Installation of new trellis on upper level of East Building to match that at the West building;
- Installation of non-load bearing interior framing; and
- Removal of interior trim and cabinetry.

The Coastal exclusion will remedy the aforementioned unpermitted development. No new installations, including the new south-facing trellis, which has an approximately 4-foot overhang, create any impacts to existing views.

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)

Under CEQA, retroactive approvals are not permitted. CEQA review must be completed before a public agency makes a final decision to approve a project. As the Project was completed without District approval, a Notice of Exemption would not be appropriate to prepare. Nevertheless, the following Categorical Exemptions would have been appropriate for the completed project.

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:

(3) Interior and exterior remodeling or alterations, involving negligible or no expansion of use beyond that previously existing, including, but not limited to, marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; or mechanical systems and

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equipment.

(5) Minor exterior or interior alterations to incorporate architectural changes.

(12) Maintenance of existing landscaping, native growth, and water supply reservoirs.

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; 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 would have been 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 because it consisted of minor exterior and interior improvements, primarily including the replacement of existing fixtures, that 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, 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 would have applied to this project (CEQA Guidelines Section 15300.2).

CALIFORNIA COASTAL ACT

PORT MASTER PLAN CONSISTENCY

Planning District: 1 - Shelter Island/La Playa (Precise Plan Figure 4)

Land Use Designation: Marine Sales and Services

The proposed project conforms to the certified Port Master Plan because it involves minor exterior and interior improvements consistent with the existing certified Land Use designation. The proposed project would not have changed the use of the site nor would it have interrupted or expanded 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:

(1) Interior or exterior alterations involving such things as partitions, plumbing, and electrical conveyances;

(8) Maintenance and control of existing vegetation;

(12) Interior and exterior remodeling or airport facilities, marine terminal facilities, existing marine-oriented industrial structures, and commercial or recreational facilities;

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:

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(2) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

The proposed project is determined to be Categorically Excluded pursuant to the Section(s) of the District's *Coastal Development Permit Regulations* as identified above because it consists of minor exterior and interior improvements, primarily including the replacement of existing fixtures, that would involve no 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 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 would have complied with Section 87.(a)(2) of the Port Act, which allows for all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. 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: 11/3/2026

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 11/3/2026