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San Diego Unified Port District  
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**ADDENDUM TO THE  
FINAL MITIGATED NEGATIVE DECLARATION**

**(SCH No. 2015061029; UPD #MND-2015-38)**

**for the**

**SHELTER ISLAND BOAT LAUNCH FACILITY IMPROVEMENTS PROJECT  
AND PORT MASTER PLAN AMENDMENT**

**San Diego Unified Port District  
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**August 2017**

**ORIGINAL**

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## 1.0 INTRODUCTION

This is an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Shelter Island Boat Launch Facility Improvements Project and Port Master Plan Amendment, which was adopted in 2016 by the San Diego Unified Port District (District) Board of Port Commissioners (Board) for an appealable Coastal Development Permit (CDP) at Shelter Island, which includes the repair, maintenance, and replacement of several elements comprising the Shelter Island Boat Launch Facility (SIBLF), a free public boat launching facility that provides waterfront access opportunities to the public (Project). This Addendum has been prepared pursuant to the California Environmental Quality Act (CEQA), its implementing guidelines (CEQA Guidelines) and the District's CEQA Guidelines. CEQA Guidelines section 15164 provides that a lead agency shall prepare an addendum to a previously adopted MND if some changes or additions are necessary but none of the conditions described in CEQA Guidelines section 15162 calling for preparation of a subsequent ND, MND, or Environmental Impact Report (EIR) have occurred. CEQA Guidelines section 15162 and 15164 conclude that no further environmental review is required for a project for which a negative declaration has been previously prepared provided none of the following conditions exists:

1. Substantial changes are proposed in the project which will require major revisions of the previous negative declaration because of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance to the project became available after the original negative declaration was adopted.

Additionally, CEQA Guideline 15163 provides that a supplement to a ND, MND, or EIR is triggered if any of the above factors are triggered and only minor changes to the previous analysis is required. As specified in more detail in this Addendum, CEQA Guidelines sections 15162 and 15163 are not triggered by the proposed minor changes to the Project.

The District is the lead agency for the Project. On January 12, 2016, the District adopted Resolution No. 2016-07 adopting the Final MND and the Mitigation Monitoring and Reporting Program (MMRP) (State Clearinghouse #2015061029; UPD #MND-2015-38; Clerk Document No. 63789), and Resolution No.2016-208 approving the Port Master Plan Amendment (PMPA) for submittal to the California Coastal Commission (CCC) for certification. On June 8, 2016, the CCC certified the PMPA (CCC Reference No. PMP-6-PSD-16-0001-1). On July 27, 2016, the District adopted the PMPA as certified by the CCC for the Project (Resolution No. 2016-116). On September 8, 2016, the CCC took final action on the PMPA, and accepted the District's

adoption of CCC certification of the PMPA. The District adopted Resolution No.2016-181 approving issuance of the appealable CDP on October 13, 2016. The District issued CDP-2016-08 on November 7, 2016 (Clerk Document No. 65802). The Final MND addresses all of the potential environmental effects of the Project. This Addendum addresses the minor modifications to the construction limits of the Project and the potential environmental impacts from the modifications, as described in more detail in Section 2.0 of this Addendum.

Since initiation of construction of the Project, the project applicant has identified the need for additional temporary work areas to facilitate safe and efficient construction of the Project and to enable sorting of excavated material for appropriate disposal and recycling purposes. No changes to the permanent design or footprint are considered; only additional temporary areas for construction purposes.

The District has reviewed the proposed project modifications and has determined that they consist of minor changes or additions to the Project and that none of the conditions described in CEQA Guidelines sections 15162 or 15163 calling for preparation of a subsequent or supplemental ND, MND, or EIR, respectively, have occurred. Therefore, pursuant to CEQA Guidelines sections 15164, the District has prepared this Addendum to the Final MND to address the changes to the Project.

## **1.1 SUMMARY OF PREVIOUSLY APPROVED FINAL MND**

On January 12, 2016, the District adopted Resolution No. 2016-07, approving the Final MND and associated findings for the Project. A copy of the Final MND is available on the District's website ([www.portofsandiego.org](http://www.portofsandiego.org)), in Appendix A to this Addendum, and during normal business hours at the office of the Office of the District Clerk located at 3165 Pacific Highway, San Diego, CA 92101. On January 13, 2016, the District filed a Notice of Determination with the County Clerk of San Diego County and the state Office of Planning and Research. Pursuant to Public Resources Code section 21167.2, the Final MND is conclusively presumed to comply with the requirements of CEQA.

The Final MND addressed potential environmental effects from the Project with regard to biological resources, hazards and hazardous materials, noise, public services, recreation, and transportation and traffic.

## **1.2 THE APPROVED PROJECT**

On October 13, 2016, the District adopted Resolution No. 2016-181, approving an appealable CDP that was issued on November 7, 2016. The Project is to provide accessibility for users with disabilities, to provide more navigable water area within the existing breakwater basin to launch and retrieve boats, to improve boat maneuverability, to reduce boat congestion, and to improve boat safety and operations at the SIBLF. The Project includes the following components: replacement of the existing 10-lane boat launching ramp; replacement of the existing rock jetties with concrete sheet pile (bulkhead) walls; installation of publicly accessible walking platforms

with viewing areas atop the bulkhead walls; replacement of the existing floating docks; installation of new gangways to the floating docks; improvements to the existing kayak launching area; construction of a sidewalk with curb and gutter; re-grading and re-paving of the vehicle/trailer maneuvering area to raise the elevation of the upper area of the launch ramp; installation of signage; minor re-grading of the beach area to reinstate the pre-construction beach profile; completion of rock slope protection measures within the basin; and installation of updated launch ramp lighting; and completion of minor Americans with Disabilities Act (ADA)-compliant modifications to the restrooms and parking stalls. The Project would not increase the number of lanes comprising the existing boat launching ramp; therefore, an increase in the operational capacity of the SIBLF would not occur. Thus, no changes to parking, sanitary facilities, or other ancillary facilities are proposed. Construction of the Project is expected to take up to 10 months to complete.

Also, pursuant to Chapter 8 of the California Coastal Act, the Project involves a Project-specific PMPA. Pursuant to Section 30711(a)(4) of the Coastal Act, the PMP must include “proposed projects listed as appealable in Section 30715 in sufficient detail to be able to determine their consistency with the policies of Chapter 3.” Section 30715(a)(4) includes “recreational small craft marina related facilities” as an appealable development. The Project falls within this category. The PMPA is described in the Final MND Section II. Project Description, and is further detailed in Attachment B to the Final MND. On September 8, 2016, the CCC took final action on the PMPA, and accepted the District’s adoption of CCC certification of the PMPA. The PMPA has since been incorporated into the District’s PMP.

The State of California Division of Boating and Waterways (DBW) awarded a \$6.1 million grant to the District for design and construction of the Project. The DBW grant requirements include reporting and obtaining DBW approval of particulars during the design and construction phases of the Project and post-construction requirements, including: providing signage referencing DBW’s financing of the Project, providing directional signage to the Project area, maintaining the Project area as open and accessible for use and enjoyment by the general public, maintaining liability and fire insurance for the Project area, and complying with DBW’s Waterways Maintenance Guidelines.

## **2.0 PROJECT DESCRIPTION**

### **2.1 LOCATION AND SETTING**

The Project is located at 2210 Shelter Island Drive in San Diego, CA in Planning Subarea 13 – Bay Corridor of Planning District 1 - Shelter Island/La Playa of the Port Master Plan. The designations for the Project site include Boat Launching Ramp, Boat Navigation Corridor, Park, and Promenade.

### **2.2 PROPOSED MINOR CHANGES/MODIFICATIONS TO THE PROJECT**

The Final MND thoroughly analyzed the potential environmental effects of the Project and found that less than significant environmental impacts would occur from the Project with the implementation of mitigation measures.

The applicant is proposing modifications to the limits of construction to allow for safe and efficient construction of the project consisting of the following components (see also Figure 1 – Project Site Map):

1. Construction limits would be temporarily modified for a period of approximately three months to use of a portion of the adjacent dry beach (i.e. above high tide mark) area immediately west of the existing boat launch for temporary storage, sorting of excavated materials, and truck loading during the demolition phase. The dry beach area would be approximately one-quarter (0.25) acre in size. Other dry beach area is available for public use within immediate proximity to the requested area. Consistent with the approved Project, a derrick barge with a heavy duty clamshell bucket would be used to remove the jetty materials. The material would be placed atop the jetty then into a rock truck to be hauled to the proposed 0.25-acre material stockpile and sorting area on the dry beach. At this location, the jetty material would be sorted into four separate stockpiles: rip rap rock, soil, soil with debris, and large concrete debris. Once material has been divided and stockpiled, it would be loaded into end dump trucks to be hauled to its identified disposal site. Upon completion of demolition, the beach area would be restored and accessible.
2. Construction limits would be modified for a period of approximately seven months to extend the lay down area within the parking lot immediately east of the boat launch to allow for safe maneuvers of deliveries and storage of construction components. The area would be approximately 0.52 acres in size. Approximately 34 additional parking spaces, for a total of 49 spaces within the 113-space parking lot, would be inaccessible as a result of the laydown area during reconstruction of the boat launch facility. The extended laydown area would be utilized for the remaining duration of construction. Upon

completion of construction, all parking spaces would be restored and made accessible for use with the opening of the reconstructed boat launch facility.

3. Construction limits would include identification of a 3.65-acre vessel maneuvering area on the water within which construction-related watercraft activity would occur. This area would identify a safe perimeter such that boats would not anchor within the vessel maneuver area. No alteration to construction or permanent impact areas is associated within the area as it is proposed solely to identify maneuvering area for the duration of construction.

The total Project construction activities, including active construction areas and laydown/staging areas, would temporarily encompass approximately 4.85 acres with the proposed modification areas, with an additional area of approximately 3.65 acres identified as a vessel maneuvering area in waters around the boat launch facility during the course of construction. The proposed identification of a vessel maneuvering area around the facility would not alter the limitations on recreational boating activity around the construction area beyond that originally anticipated. The identified area is intended to clarify the maneuvering area exclusively and no physical alterations are proposed. Ample safe water area would remain for non-construction related boating activities in the vicinity. The proposed modifications would not alter the permanent footprint, design, use, or amenities proposed as part of the Project. The proposed modifications would not alter the use of the boat launch. The Project would result in improvements to the boat launch consistent with the certified Port Master Plan and provide improved recreation activities and coastal access including pedestrian, viewing, and access to the water for boaters.

Certain discretionary approvals and permits will be required to implement the modifications:

- Addendum to Mitigated Negative Declaration approved by the District; and
- Amendment to the appealable Coastal Development Permit issued by the District.

### **3.0 ENVIRONMENTAL ANALYSIS**

The following environmental analysis evaluates the potential environmental effects of the modifications to the Project.

#### **Biological Resources**

The Project with the proposed modifications consists of improvements to an existing public boat launch on the man-made Shelter Island at the northern end of San Diego Bay. The proposed modifications would not alter the permanent footprint or impacts associated with the design in the water as all the proposed modifications consist of accommodating additional temporary areas for construction purposes. The in-water maneuvering area modification is solely to identify where watercraft activity is now expected to occur during demolition and construction. The activities in these areas would not impact marine organisms as they consist of watercraft maneuvers exclusively. The temporary materials storage on the dry beach (which is currently used for row boat and kayak storage), and the extended laydown area on the paved parking lot are in areas where no existing biological resources are recorded.

Pursuant to existing laws and regulations, the Project Applicant would be required to modify the Storm Water Pollution Prevention Plan (SWPPP), which shall be approved by the District, to ensure minimum best management practices (BMPs) and pollution prevention methods are implemented and maintained throughout the construction of the Project and to avoid on-site erosion, including in the modified areas. No new or more severe significant impacts would occur with the proposed changes and no additional mitigation measures are required.

#### **Hazards and Hazardous Materials**

The proposed modifications would not result in changes to the construction site ingress/egress or emergency access and response, or otherwise propose the use, transport or disposal of hazardous materials. The proposed modifications would not alter the permanent footprint, design, or amenities proposed as part of the Project. No new or more severe significant impacts would occur with the proposed changes and no additional mitigation measures are required.

#### **Noise**

The proposed modifications would not locate activities closer to sensitive receptors such that noticeable changes in noise levels compared to those originally modelled would result. The hours of construction activities including trucking would remain as originally proposed. The proposed modifications would not alter the permanent footprint, design, or amenities proposed as part of the Project. Thus, the modifications would not result in a new or more severe increase in ambient noise levels in the project vicinity. No new or more severe significant impacts from operational noise would occur from the changes and no additional mitigation measures are required.



**Public Services**

The proposed modifications would not result in changes to the construction site ingress/egress or emergency access and response, or otherwise propose the use, transport, or disposal of hazardous materials. The proposed modifications would not alter the permanent footprint, design, or amenities proposed as part of the Project. No new or more severe significant impacts would occur with the proposed changes and no additional mitigation measures are required.

**Recreation**

The proposed modifications would not alter the permanent footprint, design, or amenities proposed as part of the Project. The modifications do include an increase in the number of parking spaces unavailable for use during construction. Originally estimated at 15 of the 113 parking spaces marked would be closed during the course of construction, the proposed modifications would increase the number of closed spaces to approximately 49. While this represents an increase in inaccessible parking spaces, because the spaces would be inaccessible only during the approximately 7 months of construction of the boat launch improvements, it would not result in an increased impact to recreation as these spaces generally serve the boat launch facility (when in operation). Including the modified construction limits, approximately 64 of the 113 spaces would remain available for use during construction. Likewise, the proposed modifications do include the use of dry beach area for material storage resulting in approximately one-quarter acre area of the beach being temporarily inaccessible during the demolition phase (approximately three months), which would not be a significant impact to recreation because of the short-term duration of the impact and other dry beach area is available for public use within immediate proximity to the requested area. The increased water area identified for watercraft maneuvers during construction would not further reduce water recreation activities compared to that originally proposed as it is immediately adjacent to the boat launch and would occur during construction only. Ample safe water area would remain for non-construction related boating activities in the vicinity. No new or more severe significant impacts would occur with the proposed changes and no additional mitigation measures are required.

**Transportation/Traffic**

The proposed modifications would not result in changes to the construction site ingress/egress transportation including trucking activities. No added truck trips result from the modifications as the yardage of demolition jetty material and construction material import remains the same as analyzed in the Final MND. The modifications do include an increase in the number of parking spaces unavailable for use during construction. Originally estimated at 15 of the 113 parking spaces marked would be closed during the course of construction, the proposed modifications would increase the number of closed spaces to approximately 49. While this represents an increase in inaccessible parking spaces, because the spaces would be inaccessible only during the approximately 7 months of construction of the boat launch improvements, it would not result in an increased parking impact as these spaces generally serve the boat launch facility (when in operation). Including the modified construction limits, approximately 64 of the 113 spaces would remain available for use during construction. No new or more severe significant impacts would occur with the proposed changes and no additional mitigation measures are required.

**Mandatory Findings of Significance**

The construction and operation of the Project with the proposed modifications does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory. Further, no additional cumulative effects have been identified with the proposed modifications to the Project. The Project is an active construction site with a remaining construction schedule of approximately seven months.

All potential impacts in the CEQA Environmental Checklist were considered during the preparation of this Addendum, and it has been determined that no new or increased severity of impacts would result from the proposed construction modifications. The Project, with the minor changes during construction, would not cause a potential for new or more severe impacts with regard to aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems.

Further, the Project would not result in any new significant environmental effects, nor would it substantially increase the severity of previously identified significant effects or require any additional mitigation measures.

## 4.0 DETERMINATION

CEQA Guidelines sections 15162 through 15164 set forth the criteria for determining the appropriate environmental documentation, if any, which may be required after a lead agency has adopted an MND and approved a project. Pursuant to CEQA Guidelines sections 15162, 15163 and 15164, the District makes the following findings:

### **CEQA Guidelines Section 15162 and 15163<sup>1</sup>**

CEQA Guidelines, Section 15162(a) states that: *When a negative declaration [has been] adopted for a project, no subsequent [negative declaration] shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*

*1. Substantial changes are proposed in the project which will require major revisions of the previous negative declaration because of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

**Discussion:** As discussed in Section 3.0 of this Addendum, Environmental Analysis, the modifications of the Project will not require major revisions to the Final MND because they do not involve new or more severe significant environmental effects. The proposed modifications to the Project involve a slight increase in temporary construction staging areas and the identification of in-water maneuvering areas. As such, the construction modifications will be minor. The proposed modifications would not result in new significant environmental impacts, nor would it increase the severity of significant environmental impacts identified in the Final MND.

*2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

**Discussion:** As discussed under (1) above and in section 3.0 of this Addendum, Environmental Analysis, no substantial change in the circumstances under which the Project will be undertaken has been identified which will result in any new or more severe environmental effects. As a result, the modifications will not require major revisions of the Final MND. The Project is an active construction site as previously analyzed under the Final MND and the proposed modifications involve a slight increase in temporary construction staging areas and the identification of in-water maneuvering areas.

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<sup>1</sup> Section 15163 requires a supplement to a ND, MD or EIR rather than a subsequent EIR if any of the conditions described in Section 15162 occur and only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. Hence, if 15162 is not triggered, Section 15163 would likewise not be applicable.

3. *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous negative declaration was adopted, shows any of the following:*

a. *The project will have one or more significant effects not discussed in the previous negative declaration; or*

**Discussion:** As discussed under (1) above and in section 3.0 of this Addendum, Environmental Analysis, no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final MND was adopted by the District in January 2016, shows that the proposed modifications to the Project will have any new significant effects not discussed in the Final MND. Additionally, no other new information of substantial importance has come to light since the time the Final MND was prepared. The Project with the proposed modifications would not result in any new significant environmental impacts.

b. *Significant effects previously examined will be substantially more severe than shown in the previous [negative declaration]; or*

**Discussion:** As discussed under (1) above and in section 3.0 of this Addendum, Environmental Analysis, no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final MND was adopted by the District in January 2016, shows that the modifications to the Project will have any more severe significant effects than shown in the Final MND. As discussed in Section 3.0 of this Addendum, the severity of the impacts associated with the Project, as modified, would be similar to, and not substantially more severe than, those that were previously identified in the Final MND. Accordingly, the Project with the changes would not result in any more severe significant environmental impacts.

c. *Mitigation measures or alternatives previously found to not be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*

**Discussion:** No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final MND was adopted by the District in January 2016, shows that any mitigation measures or alternatives previously found infeasible would in fact be feasible and would substantially reduce one or more significant effects of the Project. The Project with modifications has similar less than significant impacts as the Project without the modifications and no additional mitigation measures are required.

d. *Mitigation measures or alternatives which are considerably different from those analyzed in the previous [negative declaration] would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

**Discussion:** No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final MND was adopted by the District in January 2016, shows any mitigation measures or alternatives which are considerably different from those analyzed in the Final MND would substantially reduce one or more significant effects on the environment, but the applicant declines to adopt the mitigation measure or alternatives. The Project with modifications has similar less than significant impacts as the Project without the modifications and no additional mitigation measures are required.

CEQA Guidelines Section 15164(b) states that: *An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*

**Discussion:** Although some minor revisions to the Project construction staging areas are necessary for purposes of facilitating demolition of the jetty and providing for safe maneuvers of deliveries and storage of construction components, none of the conditions described in CEQA Guidelines section 15162 calling for preparation of a Subsequent ND, MND, or EIR has occurred. Construction and operational activities associated with the modifications are similar to that of the Project without the changes and would not result in new or significant impacts or more severe significant impacts. Additionally, no new mitigation measures are necessary. The modifications do not constitute substantial changes to the Project and will not result in any new or more severe environmental effects than those already analyzed in the Final MND. As discussed in Section 3.0 of this Addendum, the implementation of the Project, as modified, would result in environmental impacts which are similar to those identified in the Final MND. The modifications do not alter the original impact conclusions of the Final MND.

## **5.0 CONCLUSION**

Pursuant to CEQA Guidelines sections 15162, 15163, and 15164 and based on the information contained in this Addendum and in the record of these proceedings, the District finds that none of the conditions requiring the preparation of a subsequent ND, MND, or EIR pursuant to CEQA Guidelines Section 15162 has occurred. The District further finds that the modifications to the Project consist of minor changes or additions to the Project previously analyzed in the Final MND and, therefore, this Addendum constitutes adequate compliance with CEQA for the proposed formal action of the District amending the existing appealable CDP for the modifications pursuant to the District's certified CDP Regulations.

