

## San Diego Unified Port District

### CEQA and COASTAL DETERMINATIONS and NOTICE OF APPROVAL

Project: FY 2018 Capital Major Maintenance Program: Replacement of Existing Lighting Fixtures at Embarcadero Marina Park South Fishing Pier  
Location(s): 200 Marina Park Way, San Diego, CA 92101  
Parcel No.(s): 019-062  
Project No.: 2018-014  
Applicant: Perla Goco, Engineering and Construction, San Diego Unified Port District, 3165 Pacific Highway, San Diego, California 92101  
Date Approved: March 13, 2018

#### Project Description

The proposed project involves the replacement of existing lighting fixtures at the Embarcadero Marina Park South Fishing Pier located in the city of San Diego, California. The existing lighting fixtures have deteriorated over time. The proposed project would replace the fixtures to improve their appearance, longevity, and usability. No new development is proposed as part of the project and the replacement would not increase the number of lights. Work to specifically complete the proposed project would include the following:

- Removal and disposal of the twenty-three (23) existing lighting fixtures and posts;
- Replacement of the lighting fixtures with ten (10) new LED fixtures and posts; and
- Internal modification of the existing electrical panel for the new fixtures.

Construction of the proposed project is anticipated to commence in October 2018 and take approximately three months to complete. It is anticipated that, at the height of construction, the proposed project would generate an average of approximately two vehicle trips per day. Vehicle trips would be associated with deliveries, transport of construction workers, and hauling of debris. Therefore, no impacts are anticipated. Furthermore, the applicant would be responsible for complying with all applicable federal, state, and local laws regulating construction demolition debris, noise, 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.

#### **CEQA DETERMINATION**

Based upon the above description, the project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities) and/or 15302 (Replacement or Reconstruction) and Sections 3.a. (1) and/or 3.b. (2) of the District's Guidelines for Compliance with CEQA because the project proposes the replacement of existing lighting fixtures on a public pier that would involve no expansion of use beyond that previously existing and would be located on the same site and have substantially the same purpose and capacity as the structure being replaced. Sections 3.a. (1) and 3.b. (2) of the District's CEQA Guidelines are as follows:

- 3.a. Existing Facilities (SG § 15301) (Class 1): 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 (SG § 15302) (Class 2): 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:

- (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, runways, taxiways, aprons, and ancillary structures to those 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 Categorical Exemptions listed above are appropriate for the proposed project because it is the replacement of existing lighting fixtures on a public pier that would involve no expansion of use beyond that previously existing and would be located on the same site and have substantially the same purpose and capacity as the structure being replaced. 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.

The proposed project complies with Section 87 of the Port Act, which allows for the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. 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.

## **CALIFORNIA COASTAL ACT**

### **PORT MASTER PLAN**

The project is located in Planning District 3, Centre City Embarcadero, which is delineated on Precise Plan Map Figure 11 of the certified Port Master Plan. The Port Master Plan water use designations within the limits of the proposed project are Boat Navigation Corridor and Public Fishing Pier. The project conforms to the certified Port Master Plan because it is the replacement of existing lighting fixtures on a public pier consistent with the existing certified water use designations. The project would not change the use of the site nor would it interrupt or expand the existing conforming use of the site.

### **CATEGORICAL DETERMINATION**

The above project proposes the replacement of existing lighting fixtures on a public pier that would involve no expansion of use beyond that previously existing and would have substantially the same purpose and capacity as the structure replaced. This project is consistent with the existing certified water use designations and is Categorically Excluded under Sections 8.a. and 8.b. (2) of the District's *Coastal Development Permit Regulations*, as follows:

- 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.

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:


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

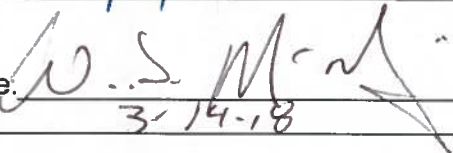
Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

RANDA CONIGLIO  
President/CEO

Determination by:  
Cameron McLeod  
Assistant Planner  
Development Services

Deputy General Counsel

Signature:   
Date: 3/14/2018

Signature:   
Date: 3/14/18