

San Diego Unified Port District

CEQA and COASTAL DETERMINATIONS and NOTICE OF APPROVAL

Project: Maintenance of Fixed Passenger Access Balcony and Mobile Passenger Gangway at B Street Pier Cruise Ship Terminal
Location(s): B Street Pier, 1140 N. Harbor Drive, San Diego, CA 92101
Parcel No.(s): 104-000, 104-031, 104-033, and 104-145
Project No.: 2018-003
Applicant: Joan Siao, Engineering and Construction, San Diego Unified Port District, 3165 Pacific Highway, San Diego, California 92101
Date Approved: February 8, 2018

Project Description

The proposed project is the maintenance of the existing fixed passenger access balcony and mobile passenger gangway at the B Street Pier Cruise Ship Terminal (Cruise Ship Terminal) located in the City of San Diego, California. The existing fixed balcony and mobile gangway have deteriorated over time. The proposed project would refurbish the facilities to improve their appearance, longevity, and usability. No new development is proposed as part of the project and the maintenance work would not increase the occupant load of the facilities or the use of the Cruise Ship Terminal. Work to specifically complete the proposed project would include the following:

- Cleaning rusted surfaces of both the fixed balcony and mobile gangway;
- Replacing rusted window rails and screw bolts;
- Painting of the interior and exterior surfaces of the fixed balcony; and
- Localized repainting of portions of the mobile gangway.

Construction of the proposed project is anticipated to commence in March 2018 and take approximately three months to complete. It is anticipated that, at the height of construction, the proposed project will 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. Due to its limited nature and scope, construction of the proposed project would generate a minor amount of vehicle and truck trips and would require limited use of construction equipment. Therefore, no impacts would occur. 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 Section 15301 (Existing Facilities) and Section 3.a. (1) of the District's Guidelines for Compliance with CEQA because the project proposes the maintenance of existing passenger loading facilities at the Cruise Ship Terminal that would involve no expansion of use beyond that previously existing and would have no permanent effects on the environment. Section 3.a. (1) 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.

The Categorical Exemption listed above is appropriate for the proposed project because it is the maintenance of existing passenger loading facilities at the Cruise Ship Terminal that would involve no expansion of use beyond that previously existing and would have no 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 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 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.

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 land use designations within the limits of the proposed project are Marine Terminal and Terminal Berthing. The project conforms to the certified Port Master Plan because it is the maintenance of existing passenger loading facilities at the Cruise Ship Terminal consistent with the existing certified land use designations. The project will not change the use of the site nor will it interrupt or expand the existing conforming use of the site.

CATEGORICAL DETERMINATION

The above project proposes the maintenance of existing passenger loading facilities at the Cruise Ship Terminal that would involve no expansion of use beyond that previously existing and would have no permanent effects on the environment. This project is consistent with the existing certified land use designations and is Categorically Excluded under Section 8.a. 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.

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: 2/8/2018

Signature: 
Date: 2/8/2018