

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
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# Wed 3e

Filed: March 14, 2006  
49th Day: May 2, 2006  
180th Day: September 10, 2006  
Staff: Ellen Lirley-SD  
Staff Report: April 17, 2006  
Hearing Date: May 10-12, 2006

## **STAFF REPORT: CONSENT CALENDAR**

**Application No.:** 6-06-029

**Applicant:** Mission Bay Boat & Ski Team      **Agent:** Kay Goodfellow/  
San Diego Parks & Rec. Department      Div Brasted

**Description:** Replacement of an existing floating dock located in Hidden Anchorage with a new floating dock of the exact size and shape as the current dock; the existing anchors and chains will be used for the new doc, and all work will be done above the waterline.

**Site:** Hidden Anchorage area of Mission Bay Park, San Diego, San Diego County.

**Substantive File Documents:** Certified Mission Bay Park Master Plan

### **I. STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

**MOTION:**      *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

### **STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

### **II. Standard Conditions.**

See attached page.

### **III. Special Conditions.**

The permit is subject to the following conditions:

1. **Timing of Construction.** No construction of any kind shall take place between Memorial Day weekend and Labor Day of any year. Access corridors and staging areas shall be located in a manner that has the least impact on public access via the maintenance of existing public parking areas and traffic flow on coastal access routes (i.e., no street closures or use of public parking as staging areas).

The permittee shall undertake development in accordance with the approved timing restrictions. Any proposed changes to the timing restrictions shall be reported to the Executive Director. No changes to the timing restrictions shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

### **IV. Findings and Declarations.**

The Commission finds and declares as follows:

**A. Detailed Project Description/History.** The applicants propose to replace an existing floating dock in the Hidden Anchorage area of Mission Bay Park with a new floating dock of the same size (approximately 100 feet by 16 feet) and shape (T-shaped) as the existing one. This is an area in the southeast portion of the park adjacent to Fiesta Island. The dock is used for a number of different public recreational purposes, including water ski and wake board competitions, water ski instruction, safety and boating clinics, etc. It is a freestanding facility with no connection to the shoreline, no piers and no utility connections of any kind (no electrical, water, etc.).

The existing dock was installed in 1962, well prior to the Coastal Act, and is fixed in place with chains and anchors; there are no piers supporting the dock. The existing dock will be detached from the chains, floated to shore, disassembled and hauled to a landfill. The replacement dock will be floated into place and attached to the same chains. No work will occur below the waterline, and no modification of any existing below-water anchorages is proposed.

**B. Biological Resources.** Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized. Section 30233 limits development in open coastal waters, wetlands, estuaries, and lakes to specific permitted uses where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects.

The proposed development occurs in open coastal waters and is a public boating facility maintenance project permitted under (a)(4) of Section 30233. The project will not have

an adverse impact on any sensitive habitat as no work will occur below the water line, the size of the facility is not being expanded, and the shape and location of the facility remains the same, such that shading of the bay bottom does not change. Also, the project does not involve alteration of any landforms, and it will not result in erosion or adverse impacts to water quality. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

**C. Community Character /Visual Quality.** The development is replacement of an existing public floating dock with a new floating dock of the same size and design in the same location of Mission Bay Park. It will be compatible with the character and scale of the surrounding area, will not impact public views, and will not change the existing appearance of the area. Therefore, the Commission finds that the development conforms to Section 30251 of the Coastal Act.

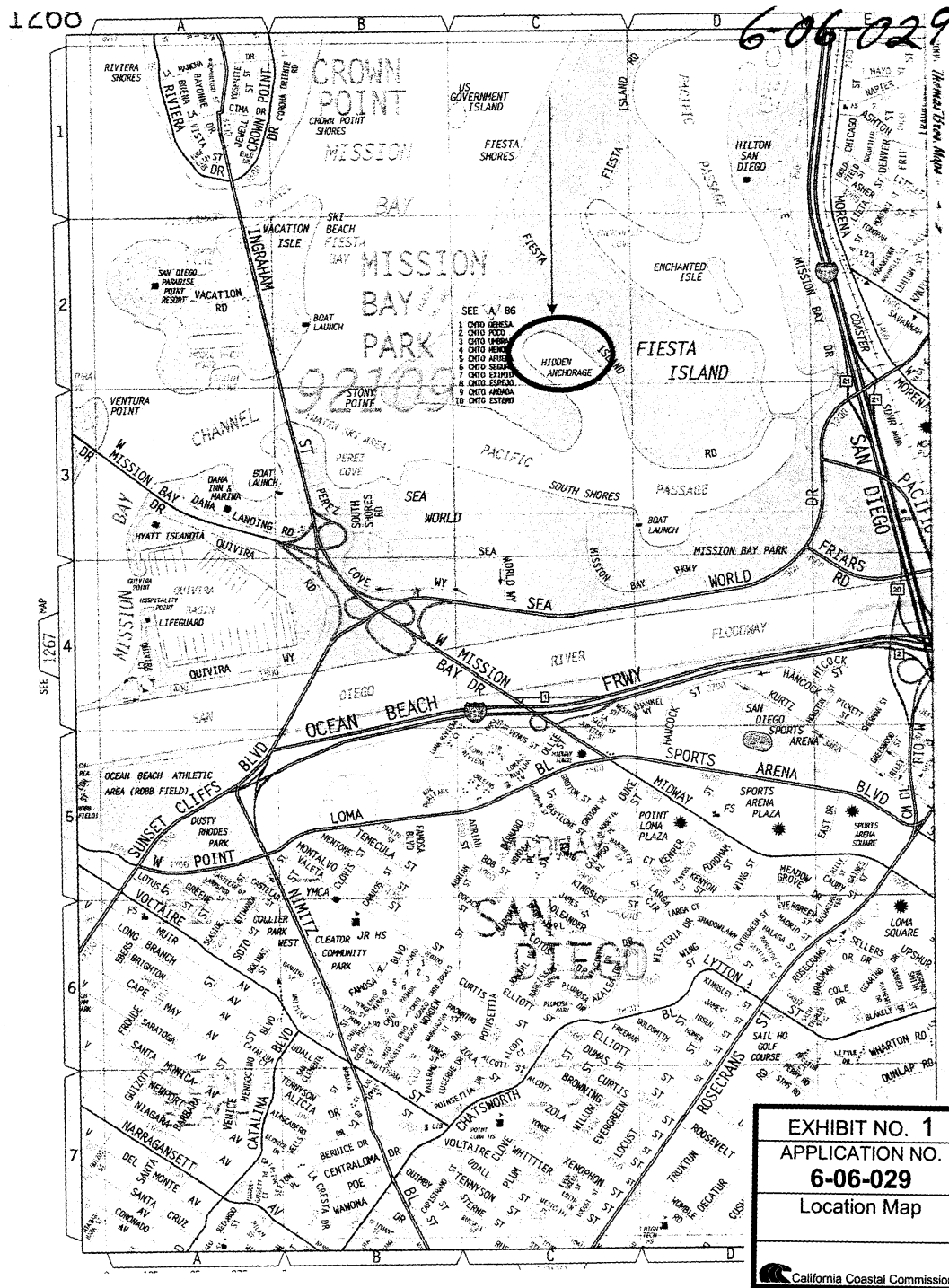
**D. Public Access and Recreation.** The proposed dock replacement could potentially have an adverse impact on public access and recreational use of this portion of Mission Bay Park if it occurred during the high use summer season. The project will generate a small level of traffic on the nearest public roadway, the road that encircles Fiesta Island, associated with delivery of the new dock and hauling away of the existing dock, and will prevent use of the dock itself during the construction period. Therefore, Special Condition #1 provides that the dock replacement may not occur between Memorial Day weekend and Labor Day to assure minimal disturbance to the general public. As conditioned, the proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. As conditioned, the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

**E. Local Coastal Program.** The LUP for the Mission Bay Park LUP segment of the City of San Diego LCP was certified on May 11, 1995, but no implementation plan has been developed as yet, and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

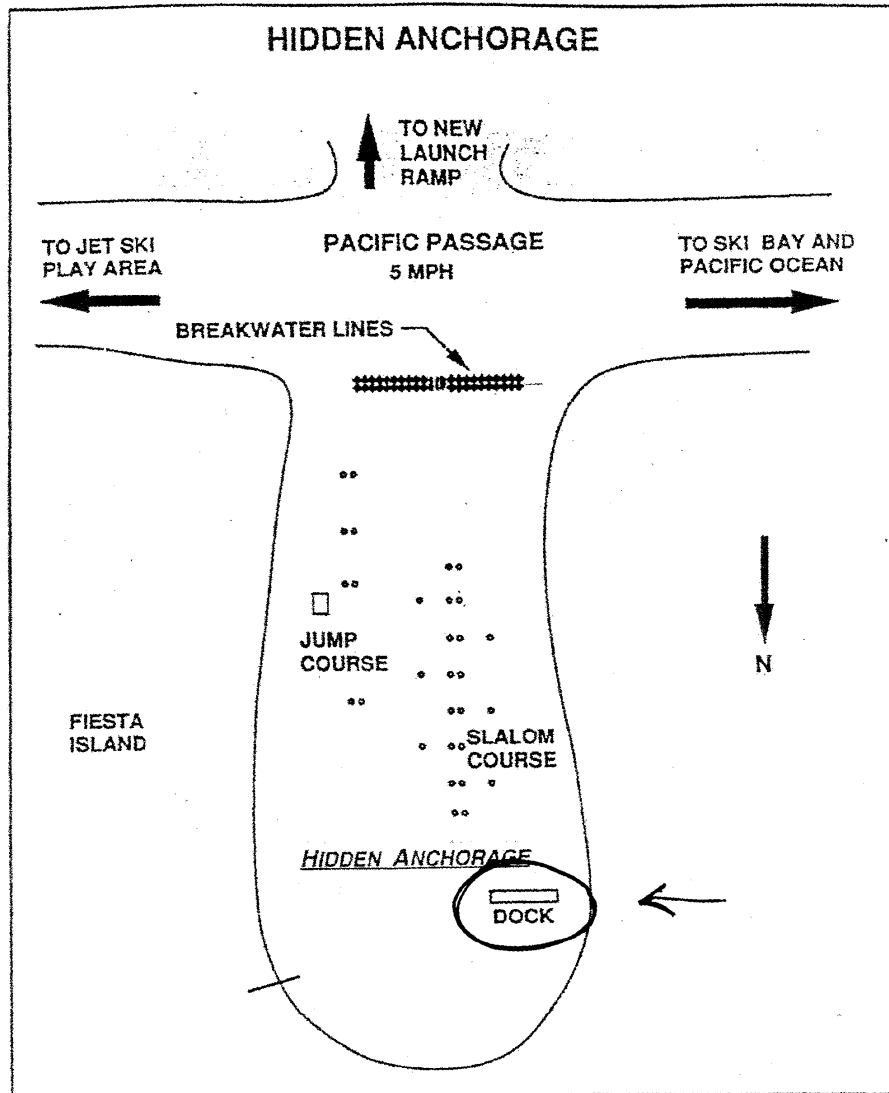
**F. California Environmental Quality Act.** As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

**STANDARD CONDITIONS:**

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.



6-06-029



(220-1702) 7-8-94 bf.



## Plot Plan

Environmental Analysis Section

CITY OF SAN DIEGO • DEVELOPMENT SERVICES DEPARTMENT

EXHIBIT NO. 2

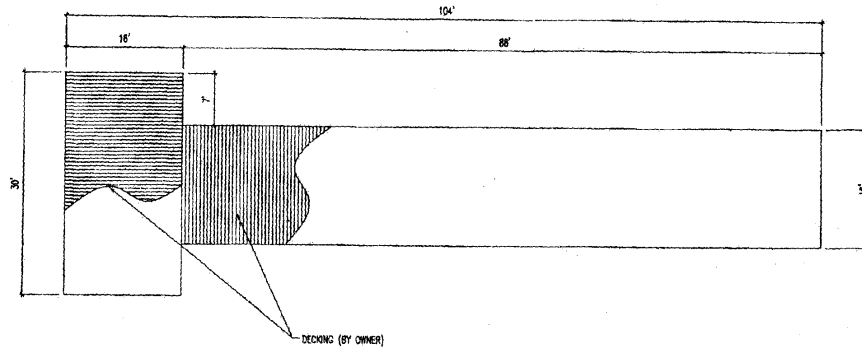
APPLICATION NO.

**6-06-029**

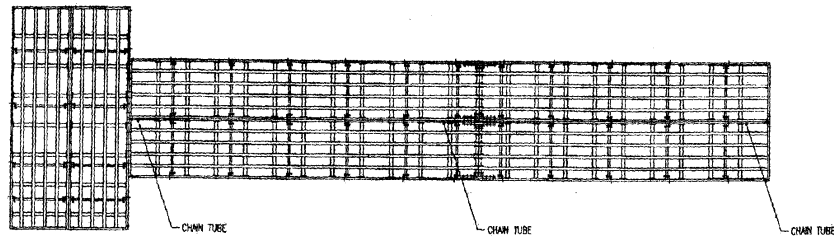
General Site Plan

California Coastal Commission

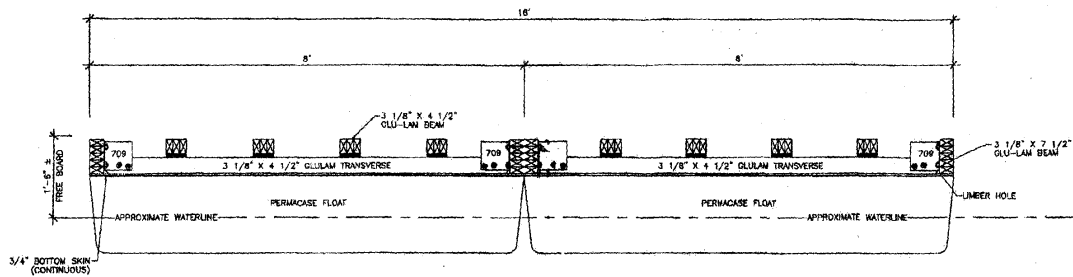
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PLAN VIEW



BEAM LAYOUT



MAINWALK SECTION

EXHIBIT NO. 3
APPLICATION NO.
<b>6-06-029</b>
Plan and Section Views
California Coastal Commission