

CALIFORNIA COASTAL COMMISSION

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REGULAR CALENDARSTAFF REPORT: AND PRELIMINARY RECOMMENDATION

WED 10e

Application No.: 6-97-64

Applicant: San Diego Princess Resort

Agent: Keith Merkel

Description: Construction of a 53 slip recreational boat marina involving the placement of approximately 100 new pilings, and construction of support facilities including a new sanitation pump-out station. A 2-story, 2,500 sq.ft. building with 500 sq.ft. of decks dock master's office, tenant services (restrooms, showers, laundry) and meeting room will be constructed; also, approximately 1.2 acres of eelgrass will be created as mitigation at approved mitigation bank on City of San Diego-owned property in Ventura Cove. The existing paddle boat rental facilities will be refurbished, reduced in size from 7,646 sq.ft. to 6,496 sq.ft., and relocated slightly to the northwest. No dredging is proposed.

Lot Area	44 acres land; 6.7 acres water
Building Coverage	8 acres (20%)
Pavement Coverage	10 acres (25%)
Landscape Coverage	23.7 acres (55%)
Unimproved Area	9 acres (55%)
Parking Spaces	1,277
Zoning	Unzoned
Plan Designation	Mission Bay Park
Ht abv fin grade	29 feet

Site: 1404 West Vacation Road, Mission Bay Park, San Diego, San Diego County.
APN 760-038-03

STAFF NOTES:Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed marina and dock facilities. The project will provide additional water-oriented recreational opportunities, adequate parking will be provided and no adverse impacts to public shoreline access will result. The project will

mitigate the impacts to approximately 1 acre of existing eelgrass habitat through the creation of 1.2 acres of new eelgrass. Special conditions require submittal of an eelgrass monitoring program to ensure that the mitigation site continues to be viable, final approval from the City of San Diego for use of the mitigation site, and implementation and enforcement of a water quality Best Management Practice program, to ensure that the water quality in Mission Bay will not be degraded as a result of marina operations.

Substantive File Documents: Mission Bay Park Master Plan; Mission Bay Lease Permit; Merkel & Associates, "Best Management Practices (BMPs) for Maintenance of Water Quality Within the San Diego Princess Resort," June 30, 1997; City of San Diego Draft Mitigated Negative Declaration, LDB No. 94-0511 San Diego Princess Resort Lease Amendment, 6/19/97; Merkel & Associates, "6-Month Post-Transplant Eelgrass Survey for the Ventura Cove Mitigation Site," April 30, 1997; Merkel & Associates, "Mission Bay South Cove and Ventura Cove Eelgrass Planting Program," November 9, 1995; CDP# 6-93-208, 6-93-165, 6-90-135-A1

PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Eelgrass Mitigation Plan. The applicant shall implement the proposed mitigation and monitoring program in accordance with the "Mission Bay South Cove and Ventura Cove Eelgrass Planting Program," (hereafter referred to as Planting Program) by Merkel & Associates dated November 1995 which shall include the following components:

- a. Mitigation shall occur at a 1.2 : 1 (replacement to impact) ratio. A minimum of 1.2 acres total eelgrass creation shall occur.
- b. Mitigation shall occur at the Ventura Cove mitigation site identified in the Planting Program.
- c. Monitoring surveys shall be conducted at intervals of 6, 12, 24, 36, and 60 months post-planting, and submitted to the Commission.
- d. Monitoring shall include an analysis of any declines or expansion of the site based on physical conditions of the site and plants, as well as any other significant observations which are made. The reports must provide a prognosis for the future of the eelgrass bed.
- e. Areas that do not meet the following success criteria must be revegetated and again monitored for another 5 year period until the final goal is met:
 - A minimum of 70% areal coverage and 30% density after the first year
 - A minimum of 85% areal coverage and 70% density after the second year
 - A minimum of 100% areal coverage and 85% density for the third, fourth, and fifth years.

The permittee shall undertake the development in accordance with the approved mitigation and monitoring report. Any proposed changes to the approved plan shall be reported to the Executive Director. No change in the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

2. Final Approval of Mitigation Credits: Prior to issuance of the coastal development permit, the applicant shall submit for the written approval of the Executive Director, evidence that the City of San Diego has accepted the applicant's option to use eelgrass mitigation credits from the Ventura Cove mitigation site. The evidence shall specify the amount of acreage credits which have been withdrawn from the draft Mission Bay Park Mitigation Bank Agreement as a result of the proposed project. The permittee shall not authorize use of these mitigation credits from Ventura Cove as mitigation for any other project, or sell these mitigation credits in the future.

3. Best Management Practices Program: Prior to the issuance of the coastal development permit, the applicant shall submit to the Executive Director, a final Best Management Practices (BMPs) program. The program shall include all of the elements contained in the "Best Management Practices (BMPs) for Maintenance of Water Quality Within the San Diego Princess Resort," program by Merkel & Associates, Inc., dated June 30, 1997, and attached as Exhibit #4 to this report, plus the following additions:

- a. Under the heading *Solid Waste Management*, the following BMPs shall be added:

- Containers for recyclables will be provided and sited so that they are convenient for boaters (i.e., close to the dock).
 - All trash and separate containers for recyclables, oil wastes, etc. will be clearly marked, have the capacity to handle all waste streams, and sited so that they are convenient to boaters (i.e., close to the dock).
- b. Under the heading *Liquid Waste Management*, the following BMPs shall be added:
- The marina will provide a secure location to store hazardous wastes, including old gasoline or gasoline with water, absorbent materials, and oily rags. Boaters will be able to give marina employees hazardous wastes for disposal.
 - Anti-freeze, lead-acid batteries, used oil and used oil filters will be collected separately for recycling.
 - Signage will be placed on all regular trash containers to indicate that hazardous wastes may not be disposed of in the container. The containers will notify boaters as to how to dispose of hazardous wastes and where to recycle certain recyclable wastes.
- c. Under the heading *Petroleum Control Management*, the following BMPs shall be added:
- Boaters should fuel slowly in order to avoid spills; tanks should never be filled to capacity because the gasoline expands and spills out the air vent; absorbents should be used while fueling to catch any spills from the nozzle or the air vents.
 - fuel/air separators are available at most marina supply shops, and there are other spill prevention devices available including whistles which let the operator know the boat tank is near full.
- d. Under the heading *Boat Cleaning*, the following BMPs shall be added:
- Toxic discharges are prohibited pursuant to Department of Fish and Game regulations.
 - Any boat maintenance tasks that cause toxic discharges shall not be conducted at the marina.
 - Boat soaps should not be used for regular top-side cleaning--frequent rinsing and scrubbing with water is usually adequate to clean decks.
 - A vacuum sander must be used if sanding of boats occurs in the slip. The marina will make a vacuum sander available for tenants to borrow or rent upon request.
 - No underwater cleaning will be permitted which causes a colored plume. The plume is a clear indication that copper, zinc and other toxic substances are being discharged.
 - Hull cleaning should be saved for the boat yard whenever possible.
 - The marina shall provide a list of acceptable underwater hull cleaning and hull maintenance procedures.
- e. Under the heading *Maintenance of Sewage Facilities*, the following BMP shall be added:

- If the septic pump-out facility will be available for use during non-business hours (when assistance with the pump-out equipment is not available), signage shall be provided giving clear instructions on how to use the facility.

The marina shall provide information about all of the measures in this BMP program through a combination of signage, tenant bill inserts, and distribution of BMP program to new tenants and each year to repeat tenants. The program shall be posted at the dockmaster's office, at all dock entrances, and included and attached to all slip lease agreements. Any proposed changes to the approved plan shall be reported to the Executive Director. No change in the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

4. Oil Collection/Bilge Pump-Out Facilities. Prior to the issuance of the coastal development permit, the applicant shall submit for the review and written approval of the Executive Director, revised final project plans for the development which show the location of and indicate the installation of the following facilities: (1) A used oil collection facility that includes a drain for used oil filters; (2) a bilge pump-out facility, and (3) an absorbent pad dispenser. Plans shall indicate that these facilities are provided as a free service for boaters, and are located so that they are convenient for boaters (i.e., close to the dock).

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History: The proposed project involves the construction of 53 "wet" boat slips and docks and a 2,500 sq.ft. two-story dockmaster building which would contain approximately 1,500 sq.ft. of office/administrative space on the first level and a 1,000 sq.ft. meeting/banquet room on the second level. The proposed project is located within a 50.68 acre private leasehold of the San Diego Princess Resort on Vacation Isle in Mission Bay. Existing facilities on the site include a hotel convention center, conference rooms, banquet rooms, a 61 slip small boat craft rental dock and other resort facilities. The leasehold area (44.03 acres of dry land and 6.65 acres of water area) would remain unchanged.

Construction of the new boat slips will not involve any dredging. Approximately 100 pre-stressed concrete pilings will be used to hold the floating docks in place. The 53 new wooden docks would be assembled in the hotel parking lot from modular units manufactured off-site, and dropped into place by crane. The docks would be attached to the pilings by divers. In addition, a new sanitation pump-out station will be installed to upgrade liquid waste disposal.

The marina would be located west of the existing convention center/meeting room building, in the same approximate location as the existing paddle boat rental dock area. This "finger-shaped" existing dock, which currently accommodates approximately 61 paddle boats, would be relocated slightly to the northwest and reduced in size from 7,646 sq.ft. to 6,496

sq.ft. of water coverage. The existing boats and docks on the site cover 12,372 sq.ft. of water area. New boat and dock coverage would amount to 42,984 sq.ft. feet (net) for a total water coverage of 55,356 sq.ft.

The applicant has proposed off-setting impacts to eelgrass habitat resulting from the proposed project at an existing mitigation site in Ventura Cove. The Ventura Cove Eelgrass Mitigation Area is located west of Vacation Isle between Bahia Point and Ventura Point, east of the Bahia Hotel in Mission Bay (Exhibit #1). The mitigation site was initially created by the City of San Diego in association with the Mission Bay Park Shoreline Stabilization and Restoration Plan Phase I and II (CDP# 6-93-165, 6-93-208) which involved dredging and shoreline stabilization measures throughout Mission Bay, including Ventura Cove. Work at this location involved the excavation of approximately 9,000 cubic yards of sand from the cove to create a gradually sloping intertidal/subtidal interface bayward of the new shoreline of the cove. Beginning in approximately June 1996, 1.58 acres of eelgrass was planted between the shoreline and the existing native eelgrass bed. Creation of the Ventura Cove eelgrass mitigation site was funded by the Princess Resort in anticipation of significant impacts to eelgrass from the proposed marina. The City has granted the Princess Resort with the first right of use of the credits as mitigation, or to be sold as mitigation credit.

Past Commission permit action on the Princess Resort site includes CDP# 6-90-135, approved in August 1990, and 6-90-135-A1 approved in March 1991 for construction of new guestrooms, additional service areas and meetings rooms for the convention center on the upland portion of the leasehold.

2. Resource Protection. Sections 30230 and 30231 of the Coastal Act address the maintenance and restoration of marine resources, which include eelgrass beds. Section 30233 permits filling of open coastal waters for new or expanded boating facilities only if there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. Section 30240 (b) addresses development in and adjacent to environmentally sensitive habitat area.

The proposed 53-slip addition to the marina would be located in a well-flushed cove which currently contains high quality eelgrass beds. These eelgrass habitats support important fisheries resources and are considered vegetated shallows, a habitat considered to be a "special aquatic site" under the Clean Water Act. The footprint of the proposed marina will cover approximately 55,356 sq.ft. The existing dock facility covers 12,372 sq.ft. Therefore, the new development will result in a loss of approximately 42,984 sq.ft. (.99 acres) of existing eelgrass habitat beyond the footprint area of the existing dock facility. This loss will result from both direct impacts of piling placement and construction disturbance, and shading impacts from the new marina docks, gangway, and slip and side-tie occupancy.

The U.S. Fish and Wildlife Service, National Marine Fisheries Service and the California Department of Fish and Game have adopted the "Southern California Eelgrass Mitigation Policy" in 1991 and revised in 1992. This policy requires that impacts to eelgrass be

mitigated at a ratio of 1.2 to 1 (replacement to impact). In addition, the policy sets forth success criteria for evaluating the effectiveness of the transplant program.

Using this criteria, approximately 1.2 acres of new eelgrass habitat would be required to mitigate the project's impacts. As noted above, the applicant has proposed using an already established 1.58 acre restoration site in Ventura Cove. The "Mission Bay South Cove and Ventura Cove Eelgrass Planting Program" submitted with the application includes detailed requirements for the pre-construction surveys, harvesting and transplant methods, (which have already occurred) and post-construction monitoring. A six-month post-transplant survey performed at the site indicates that the site currently supports 1.40 acres of eelgrass. The plantings have coalesced and grown to such an extent that they cannot be distinguished from abutting native eelgrass beds.

Monitoring of the eelgrass beds will continue until September, 2001 to ensure adequate establishment of the created eelgrass bed. Special Condition #1 requires the applicant to implement a monitoring program consistent with the "Mission Bay South Cove and Ventura Cove Eelgrass Planting Program" submitted with the application. The program requires that monitoring reports be submitted to the Commission which include an analysis of any declines or expansion of the site based on physical conditions of the site and plants, a prognosis for the future of the eelgrass bed and any other significant observations which are made. The program also defines the criteria by which mitigation will be deemed successful, as outlined in the Southern California Eelgrass Mitigation Policy. These criteria involve comparing vegetation cover and density between the mitigation site and a control site. Successful mitigation will achieve a minimum of 100 percent areal coverage and 85 percent density for the third, fourth, and fifth years. Areas that do not meet the success criteria must be revegetated and again monitored for another 5 year period until the final goal is met.

The mitigation area is part of a draft Mission Bay Park Mitigation Bank Agreement, which provided the Princess Resort with the first right of use of the eelgrass "credits" in an amount not to exceed 1.58 acres (the total mitigation site). The City of San Diego has given approval for the use of up to 1.4 acres of eelgrass, the amount currently established at the Ventura Cove site, for the proposed project. To ensure that the mitigation credits are permanently withdrawn from the City's mitigation bank and not inadvertently used for mitigation credit in the future, Special Condition #2 requires the applicant to provide final documentation that the City has approved the applicant's use of a minimum of 1.2 acres of eelgrass credit. The condition also prohibits the applicant from selling or authorizing other use of these 1.2 acres of credit in the future.

Therefore, as conditioned, the project will not have a significant adverse impact on eelgrass or other marine resources, and the project can be found consistent with the resource protection policies of the Coastal Act.

2. Water Quality Sections 30230 of the Coastal Act supports the enhancement and protection of marine resources, and requires use of the marine environment to be carried out in a manner that will sustain the biological productivity of coastal waters. Section 30231 of

the Coastal Act requires the quality of coastal waters appropriate to maintain optimum populations of marine organisms and for the protection of human health be maintained and, where feasible, restored.

The proposed project could potentially result in significant adverse water quality impacts during construction and from marina operations. Turbidity associated with construction could impact water quality. However, the construction techniques for the project have been designed to minimize water quality impacts. Silt curtains are proposed to be placed around the pile-driving operations to minimize turbidity. A surface hammer-pile drive or jet-type driver would be used to install the proposed pilings. The force pushing the piling into the sediment would cause compression of the surrounding sediment, and except for the initial contact between the piling and sediment, turbulent sediment movement would not occur. After construction, since the ocean bottom would be at least 10 feet below the lowest reach of boat motor propellers, there would not be a significant impact on water turbidity from boat motors.

To reduce potential impacts to water quality from operation of the marina, the applicant has proposed a Best Management Practices (BMPs) program. Under this plan, specific measures are to be taken by the marina to provide adequate facilities and staff to accommodate and assist in appropriate waste disposal and management, and to police the activities and marina residents relative to compliance with marina regulations. Marina regulations will be posted at the dockmaster's office and at all dock entrances, published in pamphlets, and enforced through slip lease agreements. The BMPs cover solid waste management, fish waste management, liquid material management, petroleum control management, boat cleaning, maintenance of sewage facilities, boat operations, and public education. Procedures for enforcement of the regulations have also been incorporated into the program. The BMPs are attached as Exhibit #4. Special Condition #3 requires the applicant to submit a revised BMP program which includes all of the elements contained in the draft program, but also includes additional BMPs regarding recycling, the storage of hazardous waste, fueling, boat cleaning, and sewage facilities to make sure the potential for water quality impacts is reduced to the greatest extent feasible. The applicant must specifically include and attach the BMPs to every slip lease. Any modifications to the proposed BMPs will require a new permit or amendment to this permit.

In addition, Special Condition #5 requires the applicant to install a used oil collection facility, a bilge pump-out facility, and an absorbent pad dispenser as a free service to boaters. These facilities will help ensure that oil, gasoline, and other harmful liquid materials are contained and recycled. Therefore, as conditioned, the proposed project will not result in the water quality of Mission Bay being significantly harmed or compromised either during construction or operation of the marina, and the project can be found consistent with Sections 30230 and 30231 of the Coastal Act.

3. Public Access/Recreation. Sections 30220, 30221, 30222, 30223, 30224 all address the provision and protection of water-oriented recreational activities, visitor-serving commercial recreation and recreational boating uses. Section 30252 of the Act requires that

new development maintain and enhance public access to the coast by such means as providing non-automobile circulation within the development, providing adequate parking facilities, and assuring that the recreational needs of new residents will not overload nearby coastal recreation areas.

The existing resort facilities occupy a large portion of the western half of Vacation Isle, but the site is not fenced and most of the sandy beach is outside of the private lease area. The public can freely use the swimming beaches around the perimeter of the hotel site, and can walk along the shoreline areas within the leasehold. Access to and around the shoreline will still be available after construction of the project. The existing paddle boat rental facility will be relocated north of the proposed marina and continue to be available for public recreational use. The marina will provide a recreational facility available to resort guests and the general public (for a fee). Ten percent of the total marina slip space will be allocated for transient boaters (boaters staying less than 72 hours). The proposed marina expansion will provide increased opportunities for recreational boat activity.

The Mission Bay Park Master Plan requires the provision of one parking space per three boat slips (18 spaces in this case) one space per 300 sq.ft. of office use (5 spaces) and one space per 200 sq.ft. of banquet area (5 spaces), for a total of 28 spaces required. Current uses on the site require 1,162 spaces. Since there are 1,277 existing spaces on the site, there would be a surplus of 87 spaces on the site after project implementation, and sufficient parking will be provided on the site. Therefore, the proposed project can be found consistent with Sections 30220, 30221, 30222, 30223, 30224 and 30252 of the Coastal Act.

4. Local Coastal Planning. Section 30604(a) requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The project site is a designated lease area in the Mission Bay Park Master Plan. The Commission recently certified a land use plan (the Mission Bay Park Master Plan) for Mission Bay. There are no implementing ordinances in place as yet. Thus, the entire park remains an area of deferred certification, and Chapter 3 of the Coastal Act is the standard of review. Even after an implementation plan is certified, much of the park will remain under direct Commission permit jurisdiction, since many areas of the park were built on filled tidelands. As discussed above, as conditioned, the project is consistent with all applicable Chapter 3 policies of the Coastal Act. Therefore, approval of the proposed project will not prejudice the ability of the City of San Diego to implement its certified LCP for the Mission Bay segment of the City's LCP.

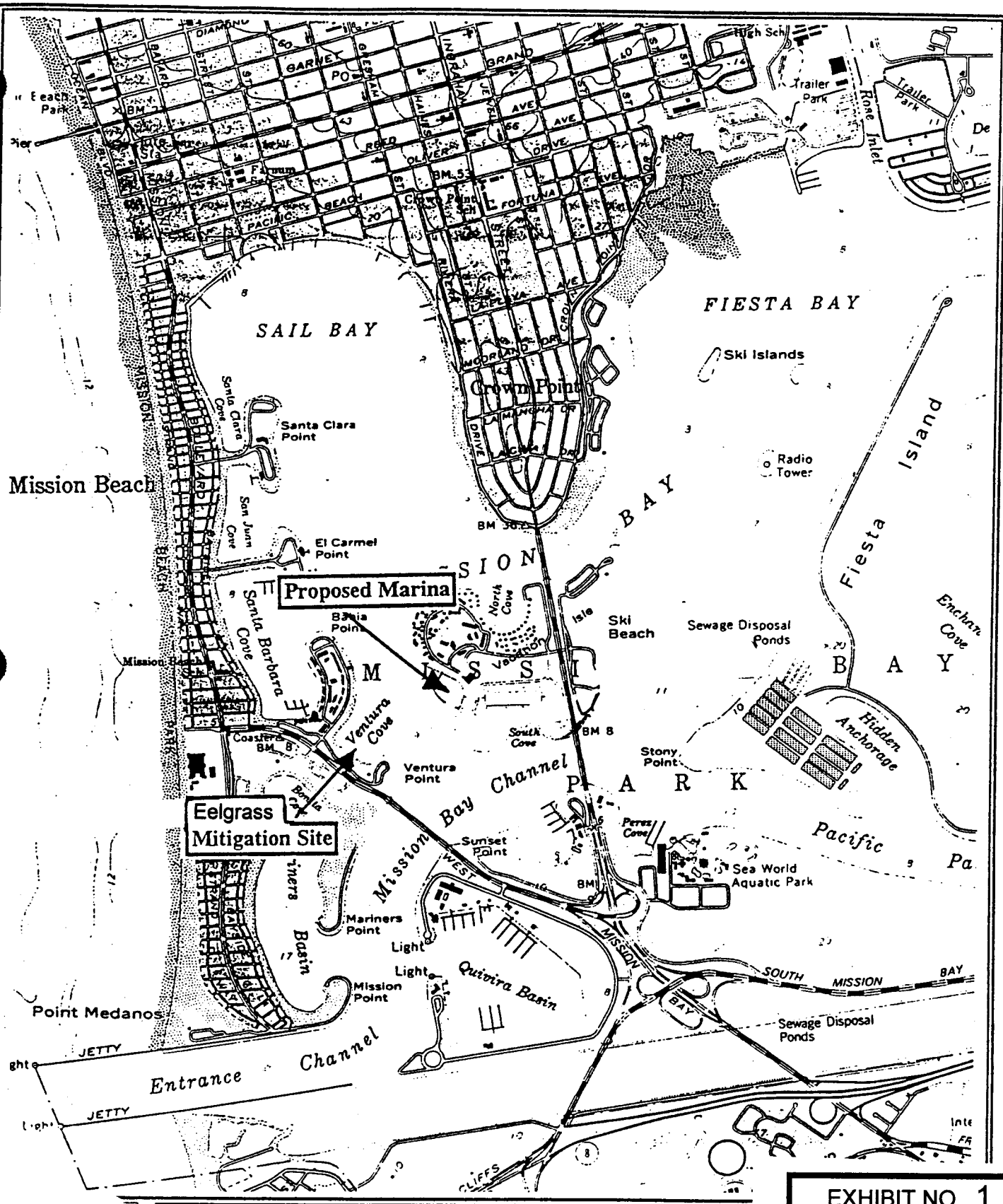
5. California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section


21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the sensitive resource and public access and recreation policies of the Coastal Act. Mitigation measures, including submittal of an eelgrass monitoring program and implementation of a water quality Best Management Practices program will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and can be found 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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.




 Scale: 1" = 2,000'

Project Vicinity Map
 Source: USGS 7.5' La Jolla, CA
 Quadrangle

EXHIBIT NO. 1
 APPLICATION NO.
6-97-64
 Location Map

- ICE
- LAUNDERETTE
- ☑ RESTROOMS
- SODA
- ☑ TELEPHONE
- ☐ MEETING FACILITIES
- ☐ GUEST RECREATION
- ☐ FOOD & BEVERAGE

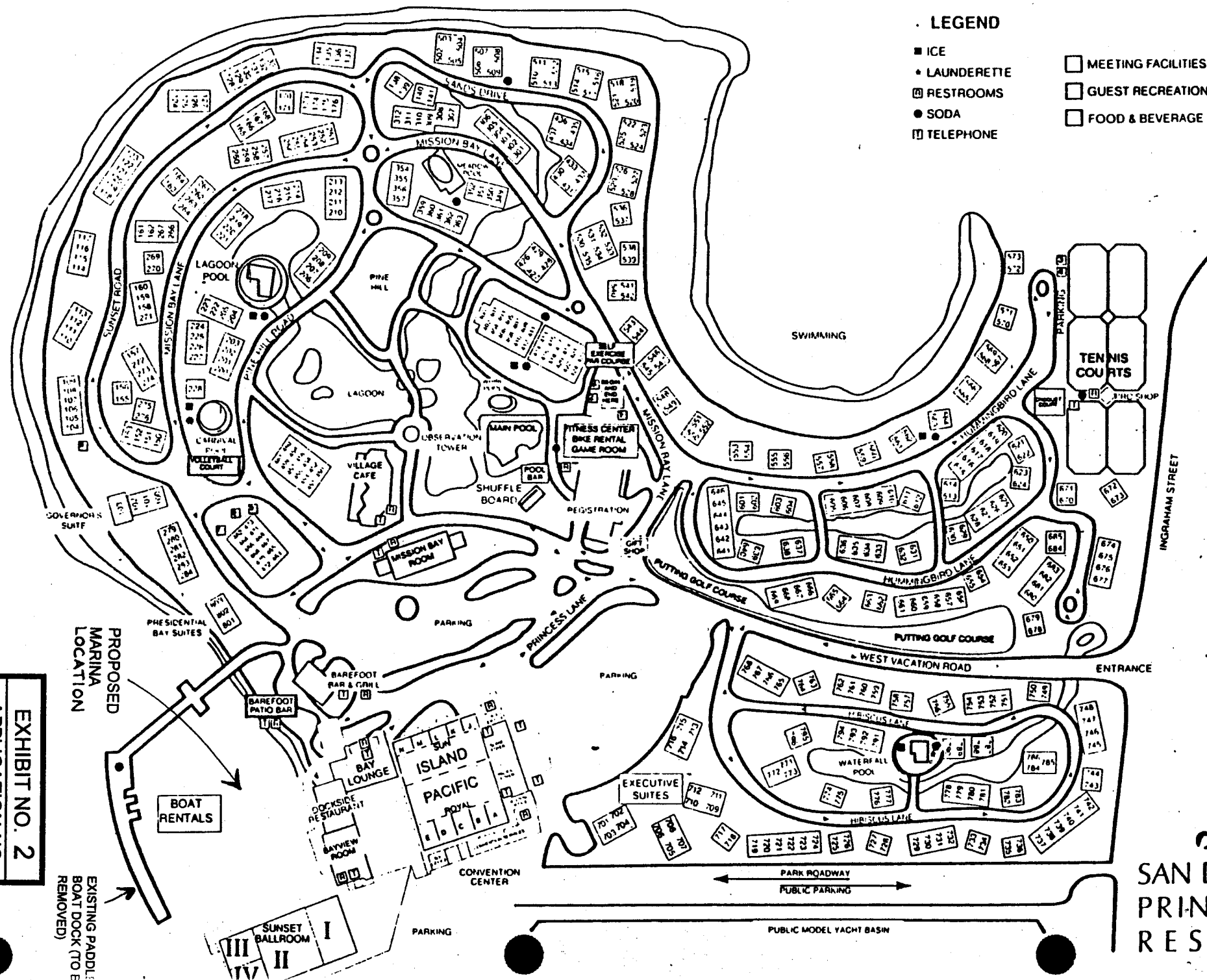



EXHIBIT NO. 2
APPLICATION NO.
6-97-64
Princess Resort
Site Plan
 California Coastal Commission

California Coastal Commission

Site Plan

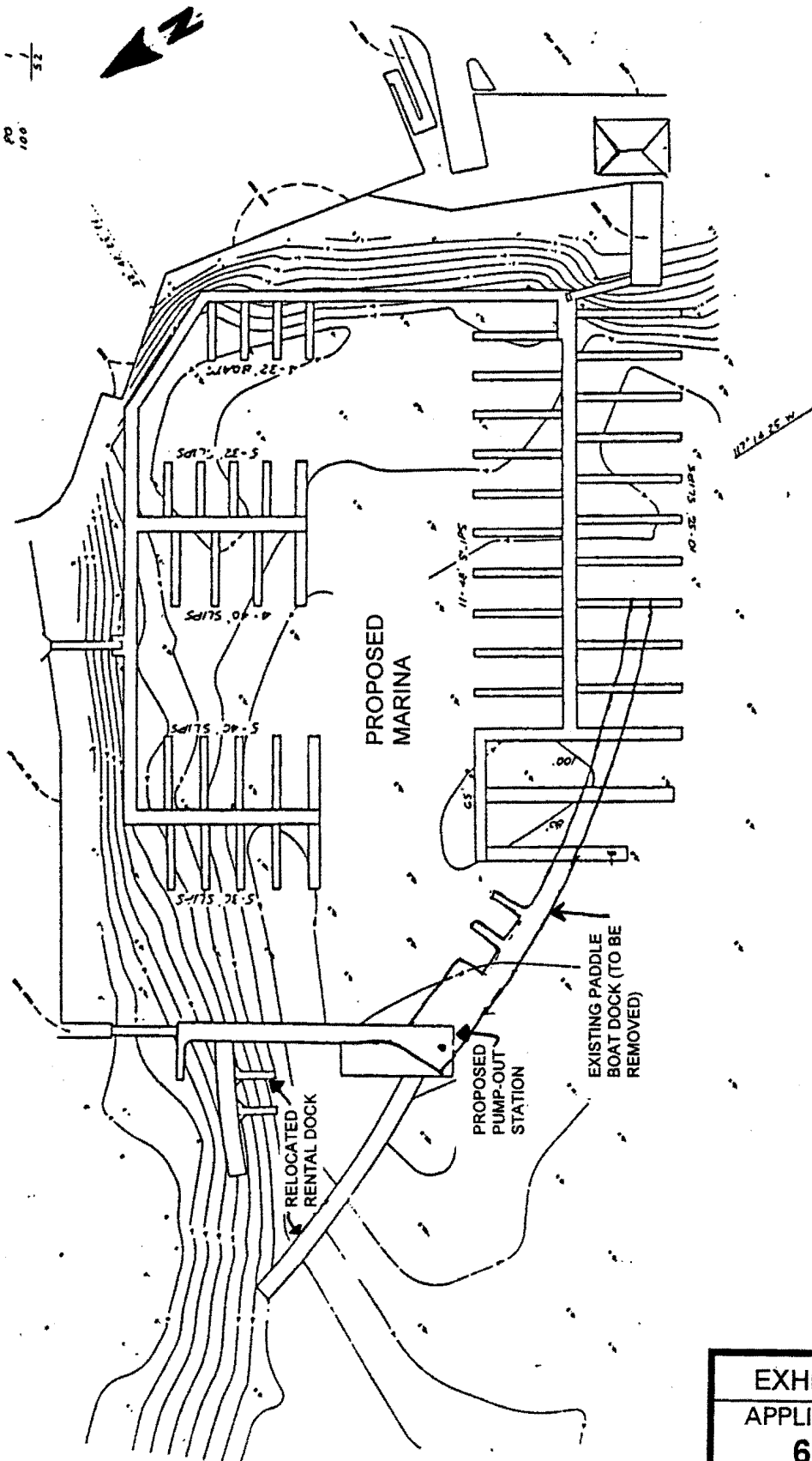
Princess Resort

6-97-64

APPLICATION NO.

EXHIBIT NO. 2

BOAT COUNT	LENGTH	1/2
12	12	
36	5	
40	11	
48	11	
56	10	
65	1	
100	1	
		52



PROJECT SITE PL

EXHIBIT NO. 3
APPLICATION NO.
6-97-64
Marina Site Plan

MARINE CONSULTING & DESIGN	
324 E. MONTELEONE AVE.	RENOVATION BLOCK 6A 2004
SAN DIEGO, CALIF. 92104	314 647-8726
PRINCESS MARINA RENOVATION	
SAN DIEGO PRINCESS MARINA	

**BEST MANAGEMENT PRACTICES (BMPs)
FOR MAINTENANCE OF WATER QUALITY
WITHIN THE
SAN DIEGO PRINCESS RESORT MARINA**

Prepared for:


San Diego Princess Resort Marina
Mission Bay Park
1404 W. Vacation Road
San Diego, CA 92109-7994

Prepared by:

Merkel & Associates, Inc.
3944 Murphy Canyon Road, Suite C106
San Diego, CA 92123
(619) 560-5465

June 30, 1997

San Diego Princess Resort Marina

EXHIBIT NO. 4
APPLICATION NO. 6-97-64
Draft BMP Program
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 California Coastal Commission

BEST MANAGEMENT PRACTICES (BMPs) FOR MAINTENANCE OF WATER QUALITY WITHIN THE SAN DIEGO PRINCESS RESORT MARINA

June 30, 1997

Introduction

The San Diego Princess Resort is a destination resort facility within the heart of Mission Bay Park. Much of the facilities attraction is based on the climatic control, aesthetic atmosphere and recreational opportunities provided by the waters of Mission Bay. As a result, the San Diego Princess is extremely committed to the continued protection of water quality and the promotion of the enjoyment of Mission Bay's water resources. To further these goals, the San Diego Princess is committed to the implementation of a site specific program to manage marina activities in a manner which aids in protection of water resources.

The marina has been designed to be an attractive amenity of the destination resort facility. As such, marina conditions, operations, or activities which detract from the enjoyment of other marina users, visitors to the resort, or other users of Mission Bay's waters will not be tolerated. Staff, tenants, and visitors are expected to respect and conform with the marina regulations and best management practices which protect the quality of the water, environment, and atmosphere of the facility. Failure to follow marina regulations and best management practices may result in the loss of marina use privileges. In addition, violation of water quality regulations may result in civil or criminal prosecution and the imposition of stiff fines or other penalties.

Marina Description

The San Diego Princess Marina is a 53 slip marina on the western side of Vacation Island, completely within the leasehold of the San Diego Princess Resort. The marina lies within West Cove which opens onto the Mission Bay Channel along a wide 105 degree exposure arc. The bottom of the cove slopes gently upward from the open channel and the shoreline slopes are steep rock armored slopes that extend to the cove bottom. The location of the site on the Mission Bay Channel and the wide shallow dimensions of the cove provide good tidal flushing characteristics.

The marina provides 90% resident vessel slips, 10% transient occupancy slips, and a recreational watercraft rental facility. In addition, the marina provides landing facilities for short-term tie-up for restaurant visitors and bay cruise embarking/disembarking. The marina is to be staffed by a dockmaster and rental dock manager. A septic pump-out facility is provided on the rental dock to accommodate marina residents and transient boaters. No fueling facilities are provided at the marina. Public fuel docks are found within Dana Basin and Quivera Basin. No boat maintenance facilities are provided at the marina. Boat yards and maintenance areas are provided in San Diego Bay. Travel-lifts to launch or pull boats for dry transport or repair are available in Quivera Basin and at the Sea World Marina.

Marina uses are principally recreational in nature. Facilities are provided which accommodate this type and level of use. Closed trash containers are provided for solid waste disposal, septic tank disposal facilities, and an oil waste collection barrel are also provided. Other liquid wastes are to be disposed of by individual boaters at appropriate collection or disposal centers on land.

Best Management Practices

SOLID WASTE MANAGEMENT

The San Diego Princess Resort is a destination facility and as such is keenly interested in maintaining its grounds, waters, and facilities in a waste and trash free condition. As such, the facility employees over 100 individuals in maintenance, groundskeeping, and housekeeping to keep trash and debris cleaned up and the facility well maintained and equipment in good working condition. Trash is to be kept in closed-topped containers and will be emptied daily in accordance with standard practices at the Resort. Solid waste will be disposed of at upland landfill sites and will be incorporated into current waste disposal contracts for the facility.

Resort visitors and marina tenants are requested to properly dispose of all solid wastes by following these practices:

- 1) Place all trash in closed trash containers provided at the marina entrances and throughout the resort facilities.
- 2) Place non-flammable, non-hazardous wet trash into sealed plastic bags prior to placing material into waste receptacles.
- 3) Oiled waste materials or other materials containing volatile and flammable waste products shall be disposed of in specially marked containers only. These are available at the marina entrances or as designated at the Dockmaster's Office.
- 4) Pick up any trash or debris left on the dock or found floating in the water and secure any loose materials on your boats so that these are not blown into the water.
- 5) Take care when cleaning boats above the waterline so as not to drop rags, equipment, or debris into the water.
- 6) Do not use washdown hoses to remove solid wastes from docks or decks. Sweep or vacuum solid wastes prior to using washdown hoses.
- 7) Some wastes can be recycled. Separate waste containers are available at the Dockmaster's Office for recyclable wastes.
- 8) If you are unsure of where waste materials are to be disposed of, please ask any marina or resort staff member. The marina is staffed with a dockmaster and rental facility operator.

FISH WASTE MANAGEMENT

The Princess Resort Marina is primarily a pleasure craft marina catering to a wide variety of boating and shoreline recreational uses and provides an aesthetic atmosphere to the marina users and resort guests. The marina encourages enjoyment of the regions sport fishing opportunities but is not considered to be principally a sport fishing landing and has no on-land facilities to support commercial or sport fishing uses. As a result, charter fishing boats and private vessels which operate from the marina are required to provide on-board facilities for handling all fish cleaning. To aid in the enjoyment of all of our guests, we ask that the following guidelines be followed:

- 1) Clean all fish on-board vessels, placing fish wastes into plastic garbage bags for disposal.
- 2) Do not discharge fish entrails or scraps into the marina and do not wash fish wastes into the marina waters.
- 3) Seal wastes in plastic garbage bags prior to disposal and discard into closed lid trash containers at the marina entrances. Fish waste disposed of in this manner will be handled as a part of the solid waste and food waste stream generated by the existing resort and would all be disposed of at existing upland landfills.
- 4) Charter fishing boats which meet guests at marina docks are expected to handle all fish wastes generated by the boat.
- 5) Some accommodations may be made for freezing, storing, and shipping fish for resort or marina guests. Ask the Dockmaster for assistance in these matters.

LIQUID MATERIAL MANAGEMENT

The San Diego Princess Marina does not allow major vessel maintenance projects (engine or drive train removal, any external hull sanding or painting, etc.) but does accommodate general boat servicing occurring completely within the individual boats (oil changes, fuel system cleaning, painting or varnishing of deck trim, etc.). These activities, generate small volumes of liquid wastes for which the individual boat owner is fully responsible for disposal. Discharge of most liquid wastes into fresh or marine waters is a violation of federal and state law as well as the marina rules and regulations and will not be tolerated by anyone for any reason.

Recognizing the difficulties in finding appropriate disposal facilities, the following guidance is provided to assist in proper disposal of wastes.

- 1) Conduct fluid changes with proper equipment including funnels, absorbent pads, sealed waste containers.
- 2) Do not wash spilled waste liquids down with washdown hoses. Use absorbent materials to contain and remove wastes as a solid waste (oily rags).
- 3) If waste liquids are spilled into the water or a sheen in the marina is observed, contact the Dockmaster or rental facility attendant immediately.

- 4) Keep liquid wastes separated and clearly labeled to aid in recycling or proper disposal (eg. waste engine oil, fuel, antifreeze, kerosene, mineral spirits, diesel).
- 5) Take wastes to recycling collection centers such as oil change centers or gas stations for disposal.
- 6) Abandonment or disposal of liquid wastes within the trash receptacles is prohibited. In the event waste liquids are found by resort or marina staff, these will be removed to the Resort maintenance facility and will be stored until proper disposal or recycling of waste can occur.
- 7) Information on the rules, regulations, and disposal guidelines for wastes will be made available through the Dockmaster's Office to assist boaters in keeping informed on changes.
- 8) Absorbent pads for oil wastes are available for purchase at the Dockmaster's Office. Other sources for spill control and clean-up supplies are posted at the Dockmaster's Office.

PETROLEUM CONTROL MANAGEMENT

No fueling accommodations are provided within the marina, however, fuel spills, oily bilge water, or incomplete fuel combustion and discharge through the exhaust can result in the creation of petroleum sheens within the marina. This oily sheen is harmful to birds, fish and invertebrates. It impairs oxygenation of the water, and creates an unpleasant look and smell to the water. Prevention of petroleum discharges is a priority of the marina, but it is primarily the responsibility and capability of individual boat owners to control petroleum discharges. The following measures may be taken to help prevent the release and spread of petroleum products in the waters of Mission Bay.

- 1) Maintain your vessel. Most petroleum discharges occur either through oily bilge water resulting from leaky gaskets and seals and spillage during fluid changes, or through incomplete combustion of fuels and fuel leakage around piston rings. A well maintained boat will run better, be more economical to operate, and will have significantly less impact on the quality of the water.
- 2) Use fuel/air separators on air vents and tank stems to reduce the amount of fuel spilled during fueling of boats.
- 3) Use oil absorbing materials within the bilge areas of inboard engine compartments and replace absorbent materials as necessary. Recycle absorbent materials if possible or dispose of them in accordance with petroleum disposal regulations.
- 4) Report any spills observed to the Dockmaster within the marina, the San Diego Lifeguards within Mission Bay, and the United States Coast Guard within any waterbody.
- 5) The marina complies with all Coast Guard regulations regarding availability of spill response equipment, spill reporting, and best management practices for spill response.

BOAT CLEANING

Boat cleaning at the marina is to be limited to water washdown and in water hull cleaning. Sandblasting, exterior hull painting, or other heavy maintenance is prohibited within the marina. The following measures are to be followed in conducting boat cleaning activities.

- 1) Wash the boat hull above the waterline by hand. Where feasible, remove the boat from the water and perform cleaning where debris can be captured and properly disposed of.
- 2) Use phosphate-free and biodegradable detergents and cleaning components only. Cleaners should be kept to a minimum.
- 3) Do not use detergents containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye.
- 4) No in-the-water hull cleaning or maintenance that removes paint from the boat hull is authorized within the marina. Hull cleaning should be conducted frequently enough to allow for the use of mild brushes to remove marine growth.
- 5) Underwater hull cleaning shall be conducted in accordance with the best management practices and best available technology for the industry. This includes using the softest brushes possible to remove marine fouling and cleaning boats frequently to minimize the need to remove strongly attached adult organisms. While the marina does not intend to preclude a boater from selecting any particular hull cleaning service, it does reserve the right to bar the use of any service which does not conform to industry standard best management practices.
- 6) Hull refinishing is recommended whenever paint or bottom coatings are chipping or blistered. This cannot be conducted within the marina facilities.

MAINTENANCE OF SEWAGE FACILITIES

No discharge of sewage into marina waters or waters of Mission Bay is allowed. A sewage pump-out facility is provided on the rental dock for use by marina tenants and guests. Septic services is handled through the use of a closed system pump-out tank which is pumped back to the municipal sanitary sewer system serving the resort. The rental dock facility is staffed during all business hours and assistance with the pump-out equipment can be provided by marina staff.

- 1) Pump-out facilities are available for marina tenants without charge.
- 2) Facilities are to be professionally maintained and regularly inspected and serviced to ensure proper operation and no spillage.
- 3) Discharges into the waters of the marina will not be tolerated and are grounds for eviction.
- 4) Dye tablets shall be placed in vessel holding tanks to identify any leakage or illicit

disposal. Tablets are made available at the Dockmaster's Office and at the pump-out facility. Presence of dye tablets will be checked at the time of pump-out.

BOAT OPERATION

The San Diego Princess Marina is located within an area of Mission Bay that is currently posted with a 5 mph speed limit. In addition, the marina is considered a "No Wake Zone". Boaters are expected to respect the posted speed limits and no wake areas. Also please see the Notices to Mariners and Mission Bay Boating Regulations within the Dockmaster's Office.

PUBLIC EDUCATION

To protect the water quality, natural resources, and safety of all users of our coastal waters, we strongly promote educational opportunities and information access for our tenants, guests, and staff. To assist in the availability of information, we have taken the following measures:

- 1) The resort lobby and Dockmaster's Office provide pamphlet racks for access to information on services, recreational opportunities, environmental education.
- 2) Current USCG Notices to Mariners, Mission Bay Regulations, Marina Rules and Regulations and BMPs are posted at the Dockmaster's Office.
- 3) Signage is found within the marina to provide information to those on the docks or water.
- 4) Spill response training is required of the Dockmaster and senior marina staff.
- 5) All leases shall include requirements for compliance with marina rules and regulations as well as best management practices for maintenance of water quality within the Princess Resort Marina
- 6) Information of general interest or application, such as changes to marina regulations or marine regulations will be provided as inserts in billings.

Enforcement of Rules and Regulations

The continued enjoyment, safety, and quality of marina facilities and the waters of Mission Bay are a primary concern of the San Diego Princess Resort and its staff. We expect the visitors to our marina and resort to share this common goal. To this end, we require cooperation from all of our staff, guests, and visitors in conducting their activities in conformance with these simple guidelines.

While it is hoped that no enforcement actions will ever be necessary, it is important to clarify our policy on violation of pollution laws or best management practices (BMPs) for maintenance of water quality within the Princess Resort Marina.

- 1) Violations of pollution laws will not be tolerated by anyone for any reason. Violation of pollution laws shall be grounds for immediate discipline up to and including termination of staff, eviction of tenants or guests, and banning of visiting vessels from the use of marina facilities.

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- 2) Failure to follow or enact BMPs shall be considered negligence on the part of staff and will be considered grounds for immediate discipline up to and including termination.
 - 3) Tenants and transient guests will be verbally advised of the need to follow BMPs and will be given a written set of the marina BMPs upon registering at the marina. Violation of the BMPs will result in a verbal warning followed by a written warning for any subsequent violation. A third violation will result in eviction from the marina for not less than 6 months.
 - 4) Marina visitors (crafts not normally moored at the marina docks but making use of guest docks for restaurant and other facility use) will be advised of the marina BMPs by signage at the docks. Any violation of BMPs will result in receipt of written BMPs and an advisory notice that failure to follow BMPs will result in being banned from use of the marina facilities. Any violation subsequent to receipt of the written BMPs and notice shall result in the boat captain and vessel being barred from the facilities for not less than 6 months.

