

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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**WED 17C**

November 16, 2001

RECORD PACKET COPY

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: DEBORAH N. LEE, SOUTH COAST DEPUTY DIRECTOR
SHERILYN SARB, DISTRICT MANAGER, SAN DIEGO DISTRICT

SUBJECT: **Staff Recommendation on San Diego Unified Port District Port Master Plan Amendment No. 32 (South Bay Boat Yard).** For Commission consideration and possible action at the Meeting of December 11-14, 2001.

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending that the Commission approve the proposed port master plan amendment (PMPA) to convert the land use designation of the leasehold housing the South Bay Boat Yard on the Chula Vista Bayfront from "Marine-Related Industry" to "Commercial Recreation", "Habitat Replacement", and "Promenade". A 1.8 acre portion of the water use area would also be changed from "Specialized Berthing" to "Wetlands". The PMPA is for the land and water use redesignations only; no specific development plans are proposed or anticipated at this time.

The water area on the northern boundary of the site proposed as "Wetlands" is adjacent to environmentally sensitive habitat, i.e. mudflats, which extend north from the site to the Sweetwater River Channel. The mudflats are located seaward of the National Wildlife Refuge but not within the boundaries of the refuge. As part of the environmental review for the proposed land and water use change, the Port has agreed to enter into a cooperative agreement to protect and/or enhance, where appropriate, this sensitive biological wetland habitat. The proposed "Habitat Replacement" designation is to accommodate the biological buffer required between any potential future redevelopment of the boatyard site and the adjacent habitat area. The Port has added language to the Port Master Plan to clarify that the extent of any future buffer will be based on future resource conditions and reevaluated at that time.

The proposed "Commercial Recreation" designation would be compatible with existing and future potential uses within the Chula Vista Bayfront. The proposal includes the "Promenade" designation and future view corridors to apply to future redevelopment and assure adequate public visual and coastal access opportunities are provided. Finally, the Port has concluded that due to parcel size, inadequate water depths to accommodate

contemporary vessel sizes, changes in boat and ship building and repair markets, and the proximity to the National Wildlife Refuge, the South Bay Boat Yard does not constitute a feasible long-term marine-related industrial site.

However, prepared studies indicate the existing boat yard market is at or near capacity; therefore, there may be a demand for additional boat yards to serve the South Bay in the future. The current lease for the South Bay Boat Yard does not expire until 2020 and the PMPA indicates this use may continue until the lease expires. The Port has added language to the port master plan submittal to indicate that prior to redevelopment of the site, additional boat repair capacity will be identified. The Port is currently investigating the feasibility of providing an alternate boat yard location at three potential sites, two of which are in the South Bay. Submitted studies indicate the market will support additional boat yards when the demand is evident. The Port has concluded there are sites available to meet potential future demand in the South Bay; therefore, with the proposed language it is assured an alternative site will be identified to meet the demand at the time the subject site redevelops to a use other than the existing boat yard. Additionally, the redevelopment project for the subject site will require a port master plan amendment and additional environmental review which will assure the demand and supply of the existing boat yard market will be thoroughly assessed at that time. The site is not required to meet any other marine related industrial needs of the Port District and the proposed land and water use redesignations can be found to meet the requirements of Section 30708 and 30240 of the Coastal Act.

The appropriate motion and resolution can be found on Page 3. The main findings for approval of the amendment as submitted begin on Page 5.

Port Master Plan Amendment Procedure. California Code of Regulations, Title 14, Section 13636 calls for port master plan amendments to be certified in the same manner as provided in Section 30714 of the Coastal Act for certification of port master plans. Section 13628 of the Regulations states that, upon the determination of the Executive Director that the master plan amendment and accompanying materials required by Section 13628(a) are sufficient, the master plan amendment shall be deemed submitted to the Commission for purposes of Section 30714 of the Coastal Act. The subject amendment was deemed submitted on September 28, 2001. Within 90 days after this submittal date, the Commission, after public hearing, shall certify or reject the amendment, in whole or in part.

STAFF RECOMMENDATION:

I. PORT MASTER PLAN SUBMITTAL - RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to the resolution.

RESOLUTION (Resolution to approve certification of Port of San Diego Master Plan Amendment No. 32)

MOTION: *I move that the Commission certify the Port of San Diego Master Plan Amendment No. 32 (South Bay Boat Yard).*

Staff Recommendation

Staff recommends a **YES** vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

Certification of Amendment

The Commission hereby certifies San Diego Unified Port District Master Plan Amendment No. 32, and finds, for the reasons discussed below, that the amended Port Master Plan conforms with and carries out the policies of Chapter 3 and Chapter 8 of the Coastal Act. The Commission further finds that the plan amendment will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act (CEQA) because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the port master plan amendment.

II. FINDINGS AND DECLARATIONS.

The Commission finds and declares as follows:

A. Previous Commission Action. The Commission certified the San Diego Unified Port District Master Plan on October 14, 1980. The Commission has reviewed thirty one amendments since that date.

B. Contents of Port Master Plan Amendments. California Code of Regulations Title 14, Section 13656 calls for port master plan amendments to be certified in the same manner as port master plans. Section 30711 of the Coastal Act states, in part, that a port master plan shall include all the following:

- (1) The proposed uses of land and water areas, where known.

- (2) The proposed design and location of port land areas, water areas, berthing, and navigation ways and systems intended to serve commercial traffic within the area of jurisdiction of the port governing body.
- (3) An estimate of the effect of development on habitat areas and the marine environment, a review of existing water quality, habitat areas, and quantitative and qualitative biological inventories, and proposals to minimize and mitigate any substantial adverse impact.
- (4) Proposed projects listed as appealable in Section 30715 in sufficient detail to be able to determine their consistency with the policies of Chapter 3 (commencing with Section 30200) of this division.
- (5) Provisions for adequate public hearings and public participation in port planning and development decisions.

The Commission finds that the proposed port master plan amendment conforms to the provisions of Section 30711 of the Coastal Act. The proposed changes in land and water uses are outlined in sufficient detail in the port master plan submittal for the Commission to make a determination of the proposed amendment's consistency with the Chapter 3 and Chapter 8 policies of the Coastal Act.

The proposed amendment was the subject of a Negative Declaration under the California Environmental Quality Act. The Negative Declaration associated with the plan amendment was subject to public review and hearing and was adopted by the Board of Port Commissioners on August 21, 2001 as Resolution 2001-189. A public hearing on the proposed master plan amendment was held and the amendment was adopted by the Board of Port Commissioners on August 21, 2001 as Resolution 2001-190.

Standard of Review. Section 30710 states that Chapter 8 shall govern those portions of the San Diego Unified Port District, excluding any wetland, estuary, or existing recreation area indicated in Part IV of the Coastal Plan. The entire water area under the jurisdiction of the Port of San Diego is covered by Chapter 3 policies because San Diego Bay is mapped as an estuary and wetland in Part IV of the Coastal Plan, and on the maps adopted by the Commission pursuant to Section 30710 of the Act. The proposed Map Amendment is for an existing leasehold located north of G Street and containing the South Bay Boat Yard which contains 15.9 acres of land area. The policies of Chapter 8 of the Coastal Act are the standard of review for the land portion of the proposed amendment. The proposal also addresses 1.8 acre of water area and Chapter 3 policies are the standard of review for the portion of the amendment addressing the water area.

D. Summary of Proposed Plan Amendment.

The proposed port master plan amendment (PMPA) involves changes to the text, land and water use tables and maps, within the port master plan to allow for redesignation of a 17.7 acre site north of G Street in Chula Vista within the Port District's Planning District 7 – Chula Vista Bayfront. The site contains the existing South Bay Boat Yard and is comprised of 15.9 acre of land area designated "Marine-Related Industrial" and 1.8 acres of water area designated "Specialized Berthing". An additional 8.5 acres of water area designated "Specialized Berthing" exists within the leasehold and is not proposed for redesignation at this time.

The proposed changes to the land and water use tables reflect a change in the marine-related industrial land use designation on 10.9 acres to "Commercial Recreation", on 4.5 acres to "Habitat Replacement", and on .5 acres to "Promenade". The change to the water use tables reflect conversion of 1.8 acres of the water area along the northern edge of the site from "Specialized Berthing" to "Wetlands". No change to the project list is proposed. There are no site specific development plans proposed at this time and any future projects on this site would be subject to additional environmental review.

Section 13634 of the Code of Regulations allows for minor, immaterial changes to a port master plan (amendment) after submission of the plan. On November 14, 2001, the Port submitted revised text language to address concerns expressed by staff regarding the future determination of the habitat buffer and identification of a replacement boatyard prior to redevelopment of the existing boatyard (ref. Exhibit 4). These changes provide more specificity and increase protection of coastal resources, and are not considered a material amendment to the PMPA submittal.

E. Conformance with the Coastal Act. The proposed amendment would result in changes to land use categories, and to the text and Precise Plan map contained in Planning District 7 (Chula Vista Bayfront) of the Port Master Plan. In order for the Commission to certify the proposed master plan amendment, the Commission must determine that the amendment conforms to the following applicable Chapter 3 and Chapter 8 policies of the Coastal Act:

1. Applicable Policies

Section 30708

All port-related developments shall be located, designed, and constructed so as to:

- (a) Minimize substantial adverse environmental impacts.
- (b) Minimize potential traffic conflicts between vessels.

(c) Give highest priority to the use of existing land space within harbors for port purposes, including, but not limited to, navigational facilities, shipping industries, and necessary support and access facilities.

(d) Provide for other beneficial uses consistent with the public trust, including, but not limited to, recreation and wildlife habitat uses, to the extent feasible.

(e) Encourage rail service to port areas and multicompany use of facilities.

Section 30240

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts that would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

2. Marine-Related Industrial Use

The Port Master Plan contains the following description of marine-related industrial uses:

Activities suitable for the marine related industrial area include, but are not limited to, ...warehouses, silos, fueling facilities; bulk liquid storage tanks and pipelines; shipping offices and custom facilities...

Section 30708(c) gives the highest priority to the use of existing land space within harbors for port purposes, such as navigational facilities, shipping industries, and necessary support and access facilities. Section 30708(d) provides for the accommodation, to the extent possible, of other public trust uses such as recreation and wildlife habitat. Section 30708(e) requires all port-related development to minimize substantial environmental effects. All three of the above policies should be considered along with the underlying objectives of Sections 30705 and 30706 which are to minimize fill of coastal waters to only that necessary for specific port-related uses and to minimize harmful effects to coastal resources. Therefore, adequate existing land area should be reserved for port-related purposes so as to avoid the need for additional fill of coastal waters to accommodate future demand for such facilities.

The Port District has had several studies prepared to address the issues raised by potential conversion of land and water areas designated for marine industrial uses to other uses of less priority under the Coastal Act, not only for the subject site, but also for the Campbell Shipyard and Fifth Avenue Landing leaseholds which are the subject of Port Master Plan Amendment #31. Additionally, the Port has submitted PMPA #30 that would redesignate a recently acquired 22 acre upland area adjacent to the historic mean high tide line and the National City Marine Terminal from "General Industrial" to "Marine

Related Industry” to help offset the proposed loss of marine-related industrial land at the South Bay Boat Yard, Campbell Shipyard and Fifth Avenue Landing sites.

The South Bay Boat Yard: Preliminary Marine Related Land and Water Study, dated 2/14/00, prepared by the Port of San Diego, contains a preliminary analysis of the potential use of the South Bay Boat Yard site for eight uses and makes the following conclusions, along with conclusions from the America’s Cup Harbor Usage Study, dated November 30, 1999, also prepared to address this issue.

1. Boat yard uses – The SBBY history indicates that a boat yard in South Bay is competitively disadvantaged. Not only is the work to capacity of the SBBY the lowest of all boat yards on the bay (70%), but where all boat yards on the San Diego Bay average approximately 611 boats worked on per year, the SBBY maintains only 500 per year. Additionally, the SBBY has the lowest distribution of craft larger than 60 feet in length (13%) resulting from limited equipment capacity.
2. Shipbuilding, repair and maintenance- Existing water depths along the Chula Vista Boat Channel and the SBBY basin extend to -10 to -17 MLLW. Modern commercial ships typically draw in excess of 42 feet of water. Substantial dredging efforts to accommodate shipbuilding, repair or maintenance would be required to take advantage of the current marine related industrial land use designation.
3. Marine terminal – The SBBY, in itself, is insufficient to function as a modern marine terminal. In addition, a regionally significant National Wildlife Refuge encompasses the Chula Vista midbayfront shoreline. Operation of a marine terminal would conflict with preservation of environmentally sensitive habitat within the refuge.
4. Aquaculture – The location of the SBBY does not support the nutrient rich ocean waters required for aquaculture, as the lack of interest by the aquaculture industry over the last 20 years indicates.
5. Commercial and sport fishing – Due to the distance of SBBY from the San Diego Bay entrance and ocean fishing grounds, locating a commercial and sport fishing berthing and processing facilities is economically infeasible.
6. Fishing piers – Existing fisheries and water quality data do not support recreational fishery in the area.
7. Boat launching ramps – A study prepared by the Port District Planning Department in 1994 of parked boat trailers near boat launching ramps in Shelter Island, national City, and Chula Vista indicated that only 5.1% of all boats launched were launched at the Chula Vista location in the South Bay. The majority of trailored boats preferred to launch from other launching ramps located on the Bay.
8. Passenger ferries and water taxis – The potential for redevelopment and intensive urban development in the South Bay may create a demand for water transportation serving Chula Vista, San Diego and Coronado. The proposed redesignation of the SBBY to commercial recreation may be the vehicle to encourage the incorporation of a ferry/water taxi terminal at the SBBY site, thus reducing automobile traffic and congestion.

Based on the prepared studies, the Port District has concluded that due to parcel size, inadequate water depths to accommodate contemporary vessel sizes, the changed boat and ship building and repair market conditions, and the adjacency to the U.S. Fish and Wildlife Sweetwater Marsh National Wildlife Refuge, the SBBY does not constitute a feasible marine-related industrial site. The Commission concurs with these findings; however, due to the fact that the submitted studies also indicate current boat yards are at or near capacity, the Commission believes an alternative replacement boatyard should be identified prior to redevelopment of the subject leasehold. The Port has acknowledged that additional land area may be required for boatyards to serve the recreational boating market in the South Bay and has completed a study to address potential sites for a facility capable of handling recreational boats from approx. fifty feet in length up to mega-yachts as large as 200 feet in length and 1,500 tons in weight. The Ship/Boat Repair Facilities Siting Study dated May 10, 2001 study concludes that there are three sites for a ship/boat repair facility that could be developed at reasonable cost and with minimal impediments to development, and three additional sites with higher cost and greater impediments to development. Two of the three identified sites are located within the South Bay, i.e. the Staite Maritime site adjacent to the existing Knight and Carver boat yard, and the existing marina site at the head of the Sweetwater Channel.

The current lease for the SBBY extends to 2020 and the submitted PMPA acknowledges that the existing boat yard may continue to operate until the site is redeveloped to a conforming commercial recreation use. Additionally, the Port has added language to the PMPA which indicates that prior to redevelopment of the subject site, additional boatyard capacity will be identified. The Port has concluded there are sites available to meet potential future demand in the South Bay; therefore, with the proposed language it is assured an alternative site will be identified to meet the demand at the time the subject site redevelops to a use other than the existing boat yard. Additionally, the redevelopment project for the subject site will require a port master plan amendment and additional environmental review which will assure the demand and supply of the existing boat yard market will be thoroughly assessed at that time. The site is not required to meet any other marine related industrial needs of the Port District and the proposed land and water use redesignations can be found to meet the requirements of Section 30708 of the Coastal Act.

3. Commercial and Public Recreational Use.

The proposed land use change to "Commercial Recreation" would allow such uses as hotels, restaurants, sportfishing, and specialty shopping, etc. Additionally, the PMPA includes a land use change to a strip of land (minimum ten foot wide) surrounding the commercial recreation portion of the site which would be designated "Promenade". This public promenade would connect with the shoreline access provided within the park adjacent to the south of the site, and extend around the western, northern and eastern boundaries of the site to connect with G Street and Marina Parkway. Thus, continual public access would be provided with redevelopment as opposed to the current

development conditions which preclude public shoreline access. Further, the proposed PMPA has anticipated the need for view corridors through potential commercial recreation development on the subject property to provide for public vistas of the San Diego Bay through four identified locations. These vista areas are identified on the Precise Plan for Planning District 7 in the submitted PMPA.

The proposed commercial recreation use designation is also given priority under Chapter 8 policies and would be compatible with the surrounding industrial business park uses, and other existing and contemplated commercial and public recreational uses along the Chula Vista Bayfront. Therefore, the PMPA assures adequate public visual and coastal access opportunities will be provided through redevelopment of the site, and, as a result of the consideration given toward provision of a habitat conservation buffer between future development and adjacent wetlands addressed in the following finding, the Commission finds the proposed land use change only to be consistent with Section 30708 of the Coastal Act.

4. Environmentally Sensitive Habitat Area.

The subject site is immediately adjacent to the south of environmentally sensitive land and water areas currently designated "Wetlands" and "Estuary" in the Port Master Plan. These wetlands are adjacent to and seaward of the Sweetwater Marsh National Wildlife Refuge. As a condition of the approval of the Negative Declaration for the proposed land and water use redesignations, the Port District has agreed to enter into a cooperative agreement with an appropriate agency or organization which would be designated to protect and/or enhance, where appropriate, the sensitive biological wetland habitat (i.e., mudflats) running north from the SBBY to the Sweetwater River Channel. In addition, as part of the PMPA, the 1.8 acres of water area on the northern boundary of the site between the mudflats and the site would be designated "Wetlands". Further, the PMPA proposes a "Habitat Replacement" zone to serve as the buffer between future commercial recreational development and the adjacent environmentally sensitive area. Along the northern boundary, the width of the habitat replacement area is a minimum 100 feet in width. However, the eastern portion of the leasehold which is currently undeveloped and contains the channel feeding the adjacent F and G Street Marsh area to the east, is also included within the "Habitat Replacement" designation where the buffer would be much wider.

In response to staff's concern regarding the determination of future buffer areas which should correspond to the resources present at the time, the Port has modified the submittal. The revised language indicates the "Habitat Replacement" designation would serve as a buffer between future commercial development and adjacent surrounding habitat. However, the text also indicates the extent of buffer coverage will depend upon future resource conditions and will be reevaluated as new development proposals are submitted. Therefore, with these changes, the Commission finds the proposed land and water use redesignations are consistent with Section 30708 and Section 30240 of the

Coastal Act which requires that development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts that would significantly degrade those areas, and shall be compatible with the continuance of the habitat and recreation areas.

F. Consistency with the California Environmental Quality Act (CEQA).

As described above, the proposed amendment does not have the potential to result in resource damage in the form of individual or cumulative impacts to land use or sensitive resources. No significant, unmitigable environmental impacts were identified. The proposed amendment was the subject of a Negative Declaration under CEQA. The Negative Declaration was subject to public review and hearing and was adopted by the Board of Port Commissioners. The proposed amendment will not result in significant adverse impacts to the environment of the coastal zone and there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the amendment may have on the environment. The Commission therefore finds that the amendment is consistent with the California Environmental Quality Act.

Re Amendment of Port District]
Master Plan - Southbay Boat]
Yard, Chula Vista]

RESOLUTION 2001-190

WHEREAS, the San Diego Unified Port District (Port District) has an adopted Port Master Plan which has been certified by the California Coastal Commission; and

WHEREAS, said Master Plan was prepared, adopted and certified pursuant to the Port District Act, the California Coastal Act and other applicable laws; and


WHEREAS, a proposed Master Plan Amendment for the Southbay Boat Yard project in the City of Chula Vista has been prepared and processed; and

WHEREAS, a Negative Declaration pursuant to the California Environmental Quality Act, State CEQA Guidelines, and Port District procedures relative to said Amendment has been prepared and adopted and its contents considered, NOW, THEREFORE,

BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Master Plan of the Port District is amended by incorporating therein the Master Plan Amendment, on file in the office of the Port District Clerk as Document No. 42719, pertaining to said Southbay Boat Yard project.

BE IT FURTHER RESOLVED that the Executive Director or his designated representative is hereby authorized and directed to transmit said Master Plan Amendment, together with all relevant factual information, the Final Negative Declaration, and the Coastal Act consistency analysis to the California Coastal Commission for its review, approval and certification pursuant to the California Coastal Act, and that said

EXHIBIT NO. 1
APPLICATION NO.
PMPA #32
Resolution Approving PMPA
2 pages
 California Coastal Commission

Amendment will take effect automatically and be deemed fully certified upon Coastal Commission approval pursuant to Public Resources Code Section 30714. This action by the Board of Port Commissioners constitutes formal adoption of the Coastal Commission's certification of the referenced Amendment.

ADOPTED this 21st day of August, 2001.

SW
8/21/01

Re Adoption of Final Negative Declaration]
for Southbay Boat Yard Port Master]
Plan Amendment, Chula Vista]

RECEIVED

SEP 10 2001

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

RESOLUTION 2001-189


WHEREAS, the South Bay Boat Yard: Preliminary Marine Related and Water Study (Study), dated February 14, 2000, was prepared to assess the consequences of changing the South Bay Boat Yard's land/water uses from Marine Related Industrial to Commercial Recreation uses based on California Coastal Act Policies; and

WHEREAS, the Study concluded that due to the parcel size, inadequate water depths to accommodate contemporary vessel sizes, the changing boat and ship building and repair market conditions, and proximity to the United States Fish and Wildlife Sweetwater Marsh National Wildlife Refuge, the South Bay Boat Yard does not constitute a feasible Marine Related Industrial site now or in the foreseeable future; and

WHEREAS, the San Diego Unified Port District (District) proposes to amend its Master Plan (Project) to change the existing land and water use designations for the approximately 17.7 acre site located adjacent to and on the northwest side of G Street in the City Chula Vista; and

WHEREAS, any future projects on said 17.7 acre site would be subject to additional environmental review; and

WHEREAS, the proposed Project provides for changes to the land and water use classifications of certain property in Subarea 73 of Planning District 7, Chula Vista Bayfront; land use changes from Marine Related Industrial to Commercial Recreation, Habitat Replacement Conservation and Promenade, as well as a water use change from Specialized Berthing to Wetlands, are proposed; and

EXHIBIT NO. 2
APPLICATION NO.
PMPA #32
Resolution Approving Negative Declaration
4 pages
 California Coastal Commission

WHEREAS, the proposed Project would enable redevelopment of the South Bay Boat Yard as Commercial Recreation land use(s) which could potentially allow uses such as a hotel with on-site parking, restaurant, meeting space and typical uses with such a commercial enterprise; the Project would also include redesignating approximately 4.5 acres of Marine Related Industrial land to Habitat Replacement Conservation and approximately 10.9 acres of Marine Related Industrial land to Commercial Recreation; the extension of approximately 0.5 acres of Promenade along the site's boundary, including the addition of vista areas to compliment the proposed Commercial Recreation redesignation, are also proposed; in addition, water along the northern edge of the site, currently designated as Specialized Berthing, would be redesignated to a Wetlands use designation (although the proposed Wetlands land area is graphically shown on the Draft Chula Vista Bayfront Precise Plan amendment, Table 18 of the Port District Master Plan would not reflect an increase to Wetlands acreage due to historical inaccuracy in the Table); further under the present land use classification, development is restricted to industry that is marine related; further due to the lack of a deeper boating channel from the mid-bay and proximity of sensitive marine resources, the property has been unable to economically sustain itself as a boat yard, and according to the above-referenced Study the property is no longer needed as a boat yard; and further the Commercial Recreation land use classification would induce new development that is more responsive to the Chula Vista Bayfront market, foster additional businesses that would produce taxes, economic and employment benefits for the District, City of Chula Vista and the region, and would be more compatible with the surrounding environmentally sensitive lands; and

WHEREAS, the District desires to enter into a cooperative agreement with an appropriate agency or organization which would be designated to protect and/or enhance, where appropriate, the sensitive biological wetland habitat (i.e., mudflats) running north from the South Bay Boat Yard site to the Sweetwater River Channel; and

WHEREAS, pursuant to the California Environmental Quality Act, the Resources Agency Guidelines, and District procedures, the District has prepared a Final Negative Declaration for the Southbay Boat Yard Port Master Plan Amendment, and said Final Negative Declaration is before the Board of Port Commissioners for decision, review and consideration, NOW, THEREFORE,

BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Final Negative Declaration for the project entitled "Southbay Boat Yard Port Master Plan Amendment, Chula Vista, California", including without limitation the initial study and public comments, on file in the office of the District Clerk as Document No. 42718, has been reviewed and considered and based upon the whole record the Board finds and determines that the project as designed and projected will not have a significant effect on the environment, and further finds and determines that in light of the whole record that the overall Project will have no substantially adverse effects to land, air, water, minerals, flora, fauna, noise or objects of historic or aesthetic significance, nor will the Project otherwise have a potentially significant adverse impact on the environment. Further, the Final Negative Declaration finds that the Project will have a *de minimis* impact on the environment. Said Final Negative Declaration is therefore hereby adopted and approved.

BE IT FURTHER RESOLVED that at a future date the Executive Director of the District or his authorized representative is hereby authorized to negotiate, on behalf of the District, with the appropriate agency or organization which agency or organization would be designated to protect and/or enhance, where appropriate, the sensitive biological wetland habitat (i.e., mudflats) running north from the South Bay Boat Yard site to the Sweetwater River Channel. At such time as the negotiations are finalized, said cooperative agreement shall be brought before the Board of Port Commissioners for approval.

BE IT FURTHER RESOLVED that this action constitutes final environmental approval and for that purpose only the District approves the proposed project, and the Executive Director or his authorized representative is authorized and directed to file, in accordance with law, a Notice of Determination with the Secretary for Resources and the San Diego County Clerk.

ADOPTED this 21st day of August, 2001.

SW

8/21/01

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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November 6, 2001

Mr. Ralph Hicks
San Diego Unified Port District
P.O. Box 120488
San Diego, CA 92112-0488

FILE COPY

Re: Port Master Plan Amendment #32 South Bay Boat Yard

Dear Mr. Hicks:

This letter is intended to identify the concerns raised by the above referenced Port Master Plan Amendment which addresses redesignation of the 17.7 acre site occupied by the South Bay Boat Yard. The Final Negative Declaration indicates the amendment only proposes to change the land and water use designations including conversion of land currently designated Marine Related Industrial to Commercial Recreation (10.9 ac.), Habitat Conservation (4.5 ac.) and Promenade (.5 ac.) Additionally, a portion of water area currently designated Specialized Berthing would be redesignated Wetlands. The Port staff report indicates there are no site specific development plans proposed and any future projects on this site would be subject to environmental review. In addition to the tables identifying land and water use acreages, the proposed text changes indicate the areas designated Wetlands and Habitat Replacement "would serve as a buffer between future commercial development adjacent to the surrounding habitat". The text indicates "the parcels formerly designated as Marine Related Industrial are envisioned to be part of a future redevelopment project which is planned to be compatible with surrounding conservation land uses". The text also indicates "the existing boatyard use may continue to operate until the site is redeveloped to a conforming Commercial Recreation use".

As you know, we have concerns regarding the lack of specificity in the Port Master Plan addressing future development of the site as a commercial recreational use. The staff report acknowledges no environmental review for that use has been done at this time, yet the proposed land use designation change would enable redevelopment of the South Bay Boat Yard as a commercial recreational use. Additionally, a line has been drawn to identify the buffer area between future development and the sensitive wetland resources in the adjacent marsh. Port staff has indicated the line is based on an aerial photo from which you can distinguish the marsh and that a minimum 100 foot buffer is accommodated. Our concern, in accepting that line as proposed, is that it may be used to determine the buffer zone to be provided in the future redevelopment proposal which should be based on the resources present at that time, as well as the specific impacts of the actual development proposed. Obviously it is not possible to determine the appropriate location of a habitat buffer for future development at this time. We believe, if this land use change is to be approved, it should be accompanied by language in the plan that clearly acknowledges the future resource buffer will be based on resources and conditions present at that time and that the proposed line is conceptual only.

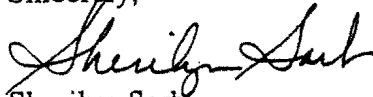
EXHIBIT NO. 3
APPLICATION NO.
PMPA #32
Letter from Comm. Staff to Port
2 pages
California Coastal Commission

Regarding the change in land use, as you know, the Marine Related Industrial land use designation has the highest priority under the Coastal Act. You have had studies prepared which indicate the limitations of expanding the South Bay Boat Yard and its constraints as a feasible marine related industrial site. Additionally, the environmental community is opposed to expansion of the boat yard or retention beyond the current lease and is, thus, supportive of the proposed land use change at this time. Commission staff concurs that retention of the boat yard is not optimum at this location or the least environmentally-damaging alternative. However, we remain concerned about the Port's ability and commitment to provide land area suitable for marine related industrial use as an alternative to the loss of this functioning boat yard. We believe the proposed Port Master Plan Amendment should include either an alternative location to offset the loss of this marine industrial land or, at a minimum, a commitment to secure an alternative location prior to removal of the existing boat yard.

Finally, the Final Negative Declaration describes only a change in the water use designation for a portion of the water area to wetlands; however, Table 4 shows an increase in recreational boat berthing acreage as part of this proposal. Additionally, Recreational Boat Berthing is the typical water use designation accompanying a Commercial Recreation land use designation. As we understand it, it is not the Port's intent to change from Specialized Berthing at this time and there has been no environmental review completed for a marina in this location. However, we believe the proposed changes to the numbers in Table 4 and Table 18 require an explanation. Also, we believe the text of the Port Master Plan should include language which makes it clear that there is no recreational marina contemplated for the subject water area, and that the appropriate water use designation for this site will be subject to a future plan amendment after environmental review for the proposed future land use is completed.

This summarizes our concerns related to the South Bay Boat Yard Port Master Plan Amendment. Please advise if these concerns can be addressed through a revised submittal, at your earliest convenience. If such changes would require action by your Board, such changes would be necessary prior to November 20, 2001, the mailing deadline for the December Commission meeting. Thank you in advance for your response.

Sincerely,



Sherilyn Sarb
District Manager

cc: Bill Chopyk
Deborah Lee
Chuck Damm
Nancy Lucast



Port of San Diego

and Lindbergh Field Air Terminal

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November 16, 2001

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NOV 16 2001

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Ms. Sherilyn Sarb, District Manager
California Coastal Commission
San Diego Area
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4402

SUBJECT: PORT MASTER PLAN AMENDMENT #32 (SOUTHBAY BOAT
YARD)

Dear Ms. Sarb:

This letter is written in response to the concerns shown in italics below, which were raised in your November 6, 2001 letter regarding the Southbay Boat Yard Port Master Plan Amendment (SBBY PMPA).

- 1) *"We believe, if this land use change is to be approved, it should be accompanied by language in the plan that clearly acknowledges the future resource buffer will be based on resources and conditions present at that time and that the proposed line is conceptual only."*

The following language will be added to the Port Master Plan (PMP) text.

"The extent of buffer coverage will depend upon future resource conditions and will be reevaluated as new development proposals are submitted."

- 2) *"We believe the proposed Port Master Plan Amendment should include....at a minimum, a commitment to secure an alternative location prior to removal of the existing boat yard."*

The following language will be added to the PMP text.

"Prior to redevelopment, additional boat repair capacity will be identified."

- 3) *"...Table 4 shows an increase in recreational boat berthing acreage as part of this proposal."*

EXHIBIT NO. 4
APPLICATION NO.
PMPA #32
Letter from Port
Revising Submittal

 California Coastal Commission

The source of the revised acreage changes in Table 4 (page 15) are noted at the lower left of Table 4 and reflect five Port District adopted plan amendments covering all areas of the PMP, thus contributing to the revised acreage figures in Table 4.

The Table 4 increase in Recreational Boat Berthing acreage is the result of water use changes proposed in the South Embarcadero Program II PMPA. The increase in Table 4 Recreational Boat Berthing acreage is not the result of the SBBY PMPA proposal.

No change in Recreational Boat Berthing acreage in the Chula Vista Bayfront is shown on Table 18 (PMP, page 104). The revised acres in Table 18 (Chula Vista Bayfront) reflect use designation changes for two plan amendments: the NCMT Wharf Extension Mitigation PMPA and the SBBY PMPA.

- 4) *"However, we believe the proposed changes to the numbers in Table 4 and Table 18 require an explanation."*

Table 4

The **existing** acres in Table 4: Port Master Plan – Land and Water Use Allocation Summary reflect a summary of all PMP acreage in the most recent Coastal Commission certified PMPA: the NTC Land Transfer – Airport on June 12, 2001.

The **revised** acres in Table 4 reflect a summary of all revisions in PMP acreage contained in the Port District adopted PMPAs awaiting certification by the Coastal Commission. The revised acreage includes changes from the five Port District adopted PMPAs in four different planning districts; Glorietta Bay – Planning District #6, South Embarcadero Program II – Planning District #3, National Distribution Center – Planning District #5, NCMT Wharf Extension Mitigation – Planning District #7 and the Southbay Boat Yard – Planning District #7.

Table 18

The **existing** acres in Table 18 only include Chula Vista Bayfront acreage from the most recent Coastal Commission certified PMPA: the Chula Vista Business Park Expansion certified by the Coastal Commission on March 10, 1998.

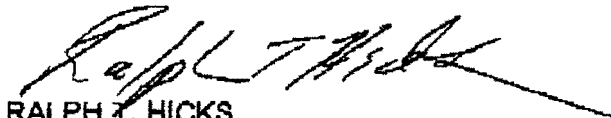
The **revised** acres in Table 18 reflect only those revisions in Planning District 7 acreage contained in Port District adopted PMPAs: the NCMT Wharf Extension Mitigation PMPA and the SBBY PMPA.

- 5) *"Also, we believe the text of the Port Master Plan should include language which makes it clear that there is no recreational marina contemplated for the subject water area..."*.

The SBBY PMPA does not propose to change any of the water area to Recreational Boat Berthing. There is no proposed language regarding a recreational marina in the PMP text nor in Table 19 (Project List) of the Chula Vista Bayfront: Planning District 7. Therefore, no recreational marina is contemplated for the subject water area.

The Port District appreciates working with the Coastal Commission staff on the preparation and adoption of the SBBY PMPA. Please keep us informed on the processing of the certification. Inquiries or questions may be addressed to the undersigned or to Bill Chopyk, Manager of Planning Services at (619) 686-6469.

Sincerely Yours,



RALPH T. HICKS
Director
Land Use Planning

cc: Deborah Lee, CCC
Dan Wilkens, SDUPD
William Chopyk, SDUPD
Chris Anderson, SDUPD
Jim Barwick, SDUPD
John Lorman, Procopio Cory Hargreaves & Savitch

San Diego Unified Port District
Proposed Master Plan Amendment

DRAFT

**SOUTHBAY BOAT YARD
Port Master Plan Amendment**

Existing/Proposed Plan Text
and
Proposed Plan Graphics

June 21, 2001

Note: Text to be deleted shown ~~stricken~~ and text to be added shown underlined.

EXHIBIT NO. 5
APPLICATION NO.
PMPA #32
Original PMPA
Submittal

TABLE 4

**PORT MASTER PLAN
LAND AND WATER USE ALLOCATION SUMMARY**

LAND			WATER			TOTAL		
USE	ACRES		USE	ACRES		ACRES		% OF TOTAL
	Existing	Revised		Existing	Revised	Existing	Revised	
COMMERCIAL	353.2	373.1		383.0	383.2	737.0	756.3	14%
MARINE SALES AND SERVICES	26.2	21.1	MARINE SERVICES BERTHING	23.1	21.0			
AIRPORT RELATED COMMERCIAL	38.0							
COMMERCIAL FISHING	7.8		COMMERCIAL FISHING BERTHING	19.0				
COMMERCIAL RECREATION	277.7	302.7	RECREATIONAL BOAT BERTHING	390.6	332.1			
SPORTFISHING	3.7		SPORTFISHING BERTHING	40.3	11.1			
INDUSTRIAL	1217.1	1206.4		220.1	217.7	1437.2	1424.1	27%
AVIATION RELATED INDUSTRIAL	152.9							
INDUSTRIAL BUSINESS PARK	113.7							
MARINE RELATED INDUSTRIAL	332.8	322.1	SPECIALIZED BERTHING	472.0	170.5			
MARINE TERMINAL	149.6		TERMINAL BERTHING	47.2				
INTERNATIONAL AIRPORT	488.1							
PUBLIC RECREATION	267.5	278.7		278.1	681.0	544.8	959.7	40% 18%
OPEN SPACE	40.1	19.0	OPEN BAY/WATER	278.1	681.0			
PARK/PLAZA	137.8	145.5						
GOLF COURSE	98.2	97.8						
PROMENADE	42.4	16.4						
CONSERVATION	304.7	399.2		1053.6	1058.6	1448.3	1457.8	27%
WETLANDS	304.9		ESTUARY	1053.6	1058.6			
HABITAT REPLACEMENT	89.8	94.3						
PUBLIC FACILITIES	225.6	225.0		392.3	394.3	617.9	619.3	12%
HARBOR SERVICES	4.0	2.7	HARBOR SERVICES	10.5				
CITY PUMP STATION	0.4		BOAT NAVIGATION CORRIDOR	283.4	284.6			
			BOAT ANCHORAGE	25.0				
FIRE STATION	0.4		SHIP NAVIGATION CORRIDOR	40.2	50.0			
STREETS	219.9	221.9	SHIP ANCHORAGE	24.2				
MILITARY	25.9			125.6		151.5		3%
NAVY FLEET SCHOOL	25.9		NAVY SMALL CRAFT BERTHING	6.2				
			NAVY SHIP BERTHING	119.4				
AREA UNDER STUDY				402.8		402.8		8%
TOTAL LAND AREA	2484.0	2508.3	TOTAL WATER AREA	2855.5	2860.4			
MASTER PLAN LAND AND WATER ACREAGE TOTAL						5339.5	5368.7	100%

Existing acreage:

NTC LAND TRANSFER-AIRPORT on June 12, 2001

Revised Acreage includes certified, adopted (*) and draft (-) PMPA:

* Glorietta Bay PMPA BPC adoption April 3, 2001

South Embarcadero Program II PMPA BPC adoption April 17, 2001

National Distribution Center PMPA BPC adoption April 17, 2001

* NCMT Wharf Extension Mitigation PMPA BPC adoption May 8, 2001

- South Bay Boatyard dPMPA of June 14, 2001

TABLE 18

CHULA VISTA BAYFRONT: PLANNING DISTRICT 7
PRECISE PLAN LAND AND WATER USE ALLOCATION

LAND			WATER			TOTAL		
USE	ACRES		USE	ACRES		ACRES		% OF TOTAL
	Existing	Revised		Existing	Revised	Existing	Revised	
COMMERCIAL	<u>42.7</u>	<u>48.5</u>		<u>36.4</u>	<u>34.0</u>	<u>79.3</u>	<u>82.5</u>	5%
MARINE SALES AND SERVICES	44.8	9.7	MARINE SERVICES BERTHING	2.4				
COMMERCIAL RECREATION	27.9	38.8	RECREATIONAL BOAT BERTHING	34.0				
INDUSTRIAL	<u>400.0</u>	<u>84.1</u>		<u>8.5</u>	<u>9.5</u>	<u>408.5</u>	<u>93.6</u>	6%
INDUSTRIAL BUSINESS PARK	80.8							
MARINE RELATED INDUSTRIAL	49.4	3.5	SPECIALIZED BERTHING	8.5	9.5			
PUBLIC RECREATION	<u>23.4</u>	<u>23.9</u>			<u>0.9</u>	<u>23.4</u>	<u>24.8</u>	1%
PARK/PLAZA	21.3		OPEN BAY/WATER		0.9			
PROMENADE	2.4	2.6						
CONSERVATION	<u>922.8</u>	<u>327.3</u>		<u>936.2</u>	<u>941.2</u>	<u>1259.0</u>	<u>1268.5</u>	75%
WETLANDS	233.0		ESTUARY	936.2	941.2			
HABITAT REPLACEMENT	89.8	94.3						
PUBLIC FACILITIES	<u>23.3</u>			<u>486.5</u>	<u>196.3</u>	<u>240.3</u>	<u>220.1</u>	13%
HARBOR SERVICES	0.1		BOAT NAVIGATION CORRIDOR	486.5	196.3			
STREETS	23.2		SHIP NAVIGATION CORRIDOR	30.0	30.0			
TOTAL LAND AREA	<u>542.2</u>	<u>507.1</u>	TOTAL WATER AREA	<u>1177.3</u>	<u>1182.4</u>			
PRECISE PLAN LAND AND WATER ACREAGE TOTAL						<u>1689.5</u>		100%

Existing acreage:

CHULA VISTA BUSINESS PARK EXPANSION PMP4 on March 10, 1998

Revised Acreage includes adopted (*) and draft (•) PMP4:

• NCMT Wharf Extension Mitigation PMP4 EPC adoption May 3, 2001

• South Bay Boatyard PMP4 of June 14, 2001

Chula Vista Bayfront Planning Subareas

Nine planning subareas have been delineated (see Figure 20) to facilitate a description of the plan.

D Street Area

A 33.2-acre portion of the northwest corner of the City of Chula Vista lies within Port District jurisdiction. Under the Plan, tidelands have been reserved for marine uses which would take advantage of the deep water channel in the Sweetwater Flood Control Channel, and for the habitat replacement.

It is intended that the tideland uses will not only utilize the valuable deep water to a high potential and provide the income to develop public recreation areas, but will establish a buffer zone between the National City Marine Terminal (with its associated industrial uses) and the ultimate use of the uplands. Possible uses might include boat building and repair, marine hardware sales, fuel docks, boat dry storage, boat sales, and associated retail commercial businesses.

Gunpowder Point Shoreline

Between the D Street Area and G Street lies a very small sliver of land (2 acres) and a broad intertidal mud flat. This area will be preserved as wetlands, as discussed in Section III under the Conservation category.

G Street Corridor

The land lying north of G Street is designated for Marine Related Industrial Commercial Recreation, except for the conservation designations of Wetlands and Habitat Replacement, which would serve as a buffer between future commercial development adjacent to the surrounding habitat. The existing boatyard will remain. parcels formerly designated as Marine Related Industrial are envisioned to be part of a future redevelopment project which is planned to be compatible with the surrounding conservation land uses. The public promenade will be extended along the entire water frontage of the Commercial Recreation site. The existing boatyard use may continue to operate until the site is redeveloped to a conforming Commercial Recreation use. The shoreline south of G Street has been developed as an extension of the Chula Vista Bayside Park, with promenade, restrooms, parking, landscaping, lawn areas, and picnic facilities. The Bayside Park shoreline promenade will, as a long-term objective, be extended along the Chula Vista Harbor to connect with the promenade on the Marina Way arm.

Shoreline erosion protection is provided by stone rip-rap. Both the beach and the rip-rap require periodic maintenance. The park terminates at the Chula Vista Bayside Park Pier, which provides protective wave attenuation for the marina, berthing for vessels, and access for fishing.

Approximately 11 acres of vacant land bounded by Marina Parkway, G Street, Bayshore Parkway, and Bayside Park has been designated as the site for initial development of the biomedical-pharmaceutical manufacturing plant mentioned in the Precise Plan Concept for the Chula Vista Bayfront. Ultimately, the plant will include another ten acres of land east of Sandpiper Way in the Marina Parkway Corridor subarea.

