

MINUTE ITEM
This Calendar Item No. C3
was approved as Minute Item
No. 3 by the State Lands
Commission by a vote of 3
to 0 at its 10/2/88
meeting.

CALENDAR ITEM

A 75

C 03

10/07/88

W 24076

PRC 7252

Townsend

S 39

GENERAL PERMIT

APPLICANT: San Diego Unified Port District
Attn: Mr. Don Nay, Port Director
P.O. Box 488
San Diego, California 92112-0488

AREA, TYPE LAND AND LOCATION:
A 24.48-acre parcel of tide and submerged land,
located in San Diego Bay, City of San Diego,
San Diego County.

LAND USE: Install and maintain 46 anchorage and boundary
markers and single-point anchor buoys.

TERMS OF PROPOSED PERMIT:
Initial period: 25 years beginning July 1,
1989.

CONSIDERATION: The public use and benefit; with the State
reserving the right at any time to set a
monetary rental if the Commission finds such
action to be in the State's best interest.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is grantee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been
received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

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CALENDAR ITEM NO. 03 (CONT'D)

B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

AB 884: 01/25/89.

OTHER PERTINENT INFORMATION:

1. The San Diego Unified Port District has submitted an application to lease 24.48 acres of State-owned lands located in San Diego Bay, adjacent to lands legislatively granted to the Port in the City of San Diego. Forty-six single point mooring buoys are proposed to be installed and made available on a permit basis for use by small craft. The proposed lease area will be identified as the Shelter Island Roadstead Anchorage.

The Shelter Island Roadstead Anchorage is a supplement to the comprehensive Small Craft Mooring and Anchorage Management Plan (Baywide Plan) adopted by the Port District for all of San Diego Bay. The Bay currently has a scattering of unauthorized boat mooring areas, where health and safety conditions cannot be monitored. The over-all Baywide Plan will bring the boating community to selected anchorage and mooring facilities, thereby aiding management. It is anticipated that the Baywide Plan will be placed on the October 1988 agenda for consideration by the California Coastal Commission.

2. The annual rental value of the site is estimated to be \$3,036.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

CALENDAR ITEM NO. C 03 (CONT'D)

4. An EIR was prepared and adopted for this project by San Diego Unified Port District. The State Lands Commission's staff has reviewed such document and have found that there were no significant environmental effects which involve the part of the project that the Commission will be considering for approval.

APPROVALS OBTAINED:

United States Coast Guard.

FURTHER APPROVALS REQUIRED:

California Coastal Commission
United States Army Corps of Engineers.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Project Report Summary.
- D. Board of Port Commissioners Resolution No. 88211 - EIR.
- E. Board of Port Commissioners Resolution No. 88212 - Master Plan Amendment.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN EIR WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE SAN DIEGO UNIFIED PORT DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE FINDINGS MADE FOR THIS PROJECT BY THE SAN DIEGO UNIFIED PORT DISTRICT PURSUANT TO SECTION 15091 OF THE STATE EIR GUIDELINES.
3. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE ISSUANCE TO SAN DIEGO UNIFIED PORT DISTRICT OF A 25-YEAR GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING JULY 1, 1989; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR INSTALLATION AND MAINTENANCE OF 46 ANCHORAGE BOUNDARY MARKERS AND SINGLE-POINT ANCHOR BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 24076

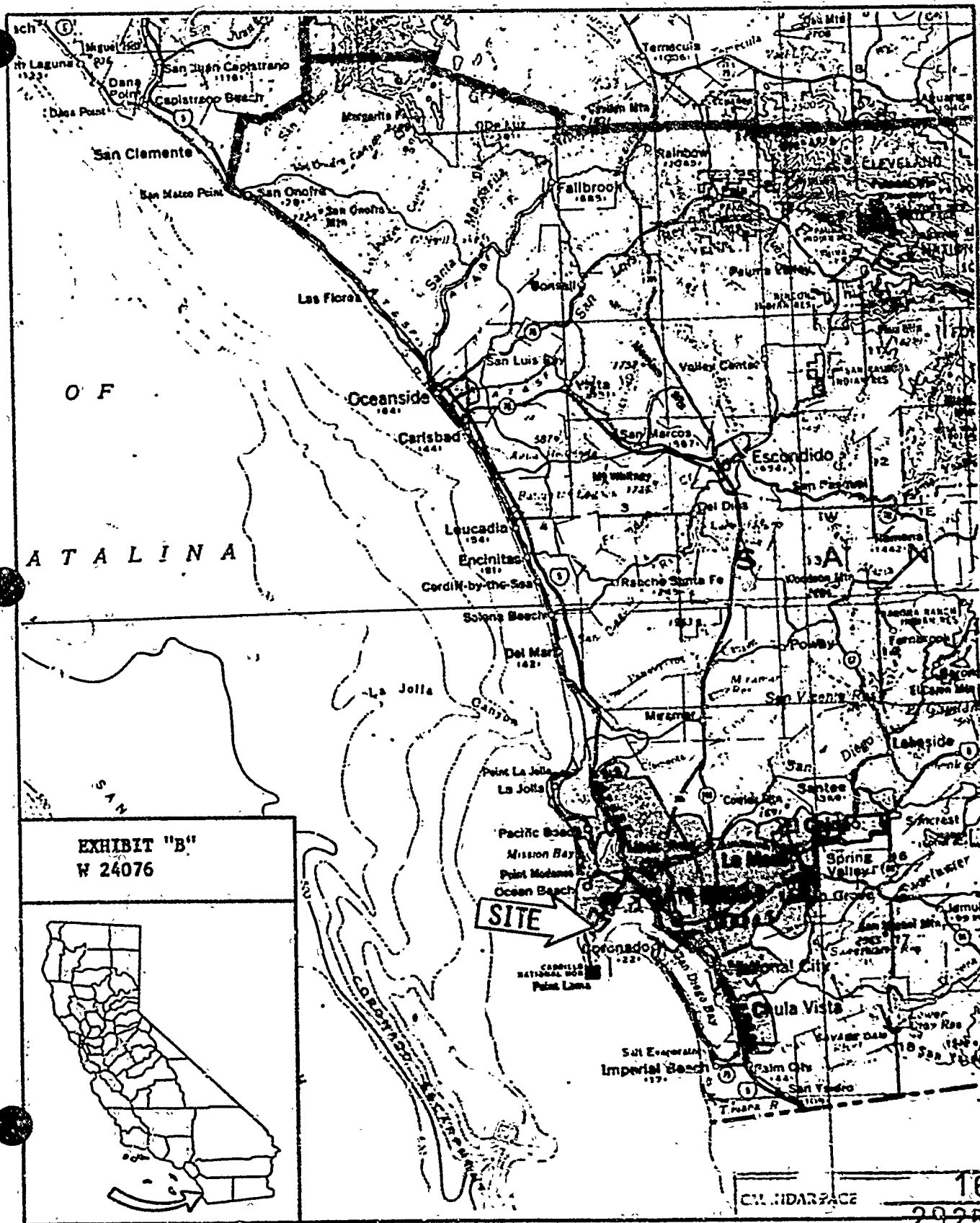
A parcel of submerged land in the bed of San Diego Bay, located in the City of San Diego, San Diego County, State of California, more particularly described as follows:

Commencing at Harbor Line Station No. 429 on the Combined U.S. Pierhead and Bulkhead Line, as said that portion of Harbor Lines were established for the Bay of San Diego, and delineated on Map entitled "Harbor Lines, San Diego Bay, California, File No. (D.O. Series) 425.1," approved by the Secretary of the Army, August 18, 1965, and filed in the Office of the District Engineer, Los Angeles, California, said Station No. 429 having California Coordinate System Zone VI grid coordinates North 198,328.75, East 1,698,267.20; thence along said Combined U.S. Pierhead and Bulkhead Line north 45° 04' 02" east a distance of 689.26 feet to a point of intersection with the most westerly limits of an easement granted by the State of California to the City of San Diego, Public Agency Permit No. 4716.9, filed 21 December 1972 in the Office of San Diego County Recorder, File/Page No. 339578, said point also being the TRUE POINT OF BEGINNING; thence continuing along said Combined U. S. Pierhead and Bulkhead Line north 45° 04' 02" east a distance of 3,693.85 feet to Station No. 431; thence north 38° 39' 45" east a distance of 1199.99 feet to Station No. 433; thence north 8° 09' 34" west a distance of 206.16 feet to Station No. 435; thence leaving said Combined U. S. Pierhead and Bulkhead Line south 53° 09' 35" east a distance of 683.35 feet to a point on a curve concave to the northwest having a radius of 990.00 feet, the center of which bears north 41° 01' 00" west, said point also being on the westerly limit line of the above described City of San Diego easement; thence southwesterly along said 990.00 foot radius curve and said westerly limit line through a central angle of 0° 18' 33" an arc distance of 5.34 feet to a point which bears south 40° 42' 27" east from the center of said curve; thence continuing along said westerly limit line south 49° 17' 33" west a distance of 5,116.12 feet to the TRUE POINT OF BEGINNING, containing 1,066,337 square feet or 24.48 acres of water covered area.

END OF DESCRIPTION

REVIEWED AUGUST 2, 1986 BY BIU 1

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O F
A T A L I N A

EXHIBIT "B"
W 24076



EIR SUMMARY

I. SUMMARYA. THE PROJECT AND ALTERNATIVES1. The Project

The proposed Project consists of an amendment to the Port Master Plan to establish the Shelter Island Roadstead Anchorage and, subsequently, to install about 50 single point moorings in the area bayward of Shelter Island. The Roadstead is designed to reorganize the existing uncontrolled anchoring of recreational craft so as to avoid buoy anchor weights being placed in sunken cable or pipeline easements or in marine resource areas; avoid having moored vessels in navigation corridors or public fishing areas; and prevent vessel anchor dragging into such areas.

The proposed Roadstead moorings would be placed in navigable waters from about 20 to 40 feet deep and extend over submerged lands granted in trust to the San Diego Unified Port District, and over submerged lands under the jurisdiction of the State Lands Commission which would be leased by the District.

2. Alternatives

Project alternatives include increasing densities in existing, designated mooring areas and the creation of new moorings or anchorages in currently undesignated areas around the Bay. For example, converting Anchorage A-1 in the Shelter Island Yacht Basin to fore-and-aft moorings would raise its capacity. Similarly, currently undesignated areas (such as Emory Basin and Convair Lagoon) have been considered earlier but rejected for environmental, engineering, safety or other reasons.

B. PROJECT IMPACTS

Recently, numerous vessels have chosen to anchor in the water area bayward of Shelter Island. See Figure II-2. This has resulted in conflicts between competing uses of the area, including the operations of the public fishing pier and adjacent fisheries enhancement structures; the public boat launching ramp, and its boat navigation corridor and public parking lots; the public beach area; the submerged cable and pipeline areas; areas designated for clambed enhancement projects; open Bay waters containing marine resources and habitats; and the navigational operations of the adjacent main harbor entrance channel (see Figure II-3).

The Shelter Island Roadstead was proposed and designed to eliminate significant public safety issues and land/water use conflicts that have arisen from the existing uncontrolled anchoring of vessels bayward of Shelter Island.

No significant, adverse impacts were identified due to implementation of the Project. Current adverse impacts that could be eliminated by implementing the Project are:

- Elimination of public safety issues relating to the uncontrolled anchorage of vessels in navigation corridors used by the Coast Guard, Harbor Police and commercial vessels; anchoring in deep waters (40 feet or more) that could be used for emergency maneuvering by deep draft military or commercial vessels; disruption of underwater cables or pipelines with on-board anchors; and overboard dumping of vessel wastes.
- Elimination of land and water use conflicts vis-a-vis anchoring near public fishing and beach areas, and vis-a-vis traffic, circulation and parking demands resulting from the uncontrolled and unplanned for vessel fleet.

- Elimination of anchoring in marine resource areas, such as fishery enhancement areas, eelgrass beds, and clambed enhancement areas. A scuba-assisted biological reconnaissance survey was conducted in the proposed anchorage areas (A-1a, A-1b and A-1c). Eelgrass beds are well developed along the shoreline (maximum cover, -5 feet to -10 feet MLLW) from southwest of A-1a to within about 200 feet of the boat launch. Additional beds were found to occur in the shallow water off the northeast end of Shelter Island. No eelgrass resources occur within areas designated for the proposed anchorages or dinghy landing facility, and no adverse impacts are anticipated due to the implementation and operation of the proposed anchorages.
- Eelgrass exposed during low spring tide (0 feet MLLW or lower) at the southwest end of the public beach is vulnerable to damage by dinghy movements to and from the proposed anchorages. With enforcement of existing and proposed regulations (and signs on the beach), dinghy movements to and from the proposed landing and storage area at the northeast end of the beach will serve to protect the existing eelgrass.
- The reduced number of anchored craft with effective enforcement of current regulations (prohibiting discharge of untreated wastewater and overboard waste disposal) should lead to further water quality improvements in the Bay.

Implementation of the Project alone will not ensure the elimination of all of these existing conditions. Anchorage regulations will have to be promulgated and enforced for the Project benefits to be fully effective.

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C. CUMULATIVE IMPACTS/GROWTH INDUCEMENT

The growth inducing impacts associated with implementation of the proposed Shelter Island Roadstead Anchorage involve the addition of about 50 mooring opportunities to the baywide mooring and anchorage inventory.

The cumulative impacts of implementing the Project will be both positive and adverse. The positive impacts include all those mentioned above related to improving public safety, resolving current land and water use conflicts, and increasing the Bay's mooring and anchorage inventory. They are positive when viewed from the standpoint of managing the Bay and its limited resources.

The principal cumulative impact involves the Project's incremental contribution to reaching the Bay's finite capacity for wet storage of vessels. When this ultimate capacity is reached, and as anchorage regulations are enforced, boaters will be forced into designated anchorages; into using dry storage options; into private commercial marinas or yacht clubs; or into wet storage opportunities outside San Diego Bay.

D. MITIGATION MEASURES

Implementation of the Project was not found to result in any significant adverse impacts, therefore no mitigation measures are either proposed or required.

EXHIBIT "D"

Re: Shelter Island Roadstead Plan Amendment
Final Supplement Environmental Impact Report, and
Filing of Notice of Determination

RESOLUTION 88-211

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

WHEREAS, the District prepared and the Board of Port Commissioners (Board) certified a Final Environmental Impact Report on the Port Master Plan which is on file with the Office of the District Clerk as Document No. 12590; and

WHEREAS, the District subsequently adopted a Baywide Small Craft Mooring and Anchorage Plan (Baywide Plan) to augment the Port Master Plan by adding specificity to the mooring and anchorage designations contained in the Master Plan and to designate areas within the bay for mooring and anchorage purposes; and

WHEREAS, the District prepared and the Board certified a final Subsequent Environmental Impact Report on the Baywide Plan, which is on file in the Office of the District Clerk as Document No. 17292; and

WHEREAS, the District has now prepared an Amendment to the Port Master Plan to supplement the adopted Baywide Plan, by establishing the Shelter Island Roadstead Anchorage (Project), and to carry out certain water area improvements, principally the installation of mooring buoys; and

WHEREAS, the Board held a noticed public hearing on July 5, 1988 on the proposed Shelter Island Roadstead Plan Amendment and its implementation; and

WHEREAS, at the Board's direction, staff prepared the Final Supplement EIR which includes copies of all written comments received and the District's response to comments, filed in the Office of the District Clerk, as Document No. 22482; and

WHEREAS, the Final Supplement EIR is before the Board, and District staff has concluded that it is adequate and complete and recommends certification.

CLERK OF DISTRICT CLERK 21
2930

NOW, THEREFORE,

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

1. The Board hereby certifies that the Final Supplement EIR concerning the Project, on file in the Office of the District Clerk as Document No22482, has been completed in compliance with CEQA, the State CEQA Guidelines, and District Procedures for Environmental Review, and that the Board and other District officials having final authority over approval of the Project have reviewed and considered the information in the Final Supplement EIR.
2. The Board finds that the contents of the Final Supplement EIR are an exercise of the independent judgment and analysis of the District and are sufficient, accurate, and objective.
3. Based on the information contained in the Final Supplement EIR, the Board makes the following findings and determinations:
 - a. that the Project of this Supplement EIR consists of an Amendment to the Port Master Plan to supplement the adopted Baywide Small Craft Mooring and Anchorage Plan, to establish the Shelter Island Roadstead Anchorage, and to implement the water area improvements;
 - b. that the current condition of the Shelter Island Roadstead area with haphazard anchoring led to the Board's policy direction to establish mooring buoys, and mooring regulations under Port administration and control;
 - c. that the purpose of the Plan Amendment is to provide for the subsequent implementation and regulation of the Shelter Island Roadstead Anchorage and its environs; to add about 50 additional mooring opportunities to the bay's anchorage inventory; and to resolve the current land and water use conflicts which have arisen from the uncontrolled anchorage of vessels in the Project area;
 - d. that the Project implementation will organize the anchorage area; permit unrestricted navigational access to the public boat launch ramp; enhance public safety in the beach area; ensure full use of the area around the public fishing pier; prevent potential damage to the

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- submerged pipeline and fish enhancement structures from dropped and dragged anchors; allow the unrestricted use of the deep draft fairway adjacent to the main ship channel for navigational purposes; enhance navigational safety in the Project area by providing lighted anchorage boundary marker buoys; and protect the bay's natural resources in the Project vicinity;
- e. that upon Project implementation, the number of designated, public small craft mooring and anchorage opportunities within San Diego Bay will be increased to accommodate approximately 950 vessels; and further that approximately 6,820 additional berthing opportunities are available within private marinas and yacht clubs;
 - f. that the regulations to use the moorings would provide for: the assignment of a mooring space by permit for a specified time; verification of vessel ownership and registration; inspection for seaworthiness, sanitary facilities, waste containers, fire, safety, and health related equipment; that the vessel can navigate; payment of fees and deposits; and other provisions as determined by the Board from time to time;
 - g. that during the construction of the water area improvements, the then current users would need to vacate the site temporarily, for possibly up to three months;
 - h. that the number of vessels using the Project area is highly variable and that other areas of the Bay are available for anchoring; and further that, assuming that all vessels could comply with all of the anchorage use permit criteria including current registration and seaworthiness, all of the vessels could be accommodated in the currently designated and proposed anchorages and mooring spaces;
 - i. that the Supplement EIR has been completed in compliance with CEQA and State CEQA Guidelines;
 - j. that the Board of Port Commissioners has reviewed and considered the information contained in the Final Supplement EIR including letters of comment and District response;

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k. that the Board is making findings and conclusions therefrom.

4. The Board finds that the environmental consequences of amending the Port Master Plan to establish the Shelter Island Roadstead Anchorage, and the subsequent implementation of the anchorage have been evaluated in the Final Supplement EIR and that no further conditions or mitigation measures beyond those of the Project are required. And further, that the Final Supplement EIR adequately addresses the relevant Water/Land Use, Water Quality, Traffic Circulation, Public Safety, Marine Resources, and Visual Quality issues and that the Board finds no adverse impacts not mitigated by the Project as proposed. The Board concludes that the Final Supplement EIR serves as the CEQA document for the Port Master Plan Amendment and for the implementation of the Project.

5. The Board finds and concludes that the Shelter Island Roadstead Plan Amendment and, therefore, its implementation would not have a significant effect (substantial adverse change) on the environment.

6. The Board further finds and concludes that the conditions recommended in the Final Supplement EIR, which are hereby made project requirements, are sufficient and reasonable to reduce Project-related effects on the environment to insignificant, acceptable levels.

7. This action by the Board constitutes final environmental approval only. The Port Director or his authorized representative is authorized and directed to file, in accordance with law, a Notice of Determination with the Office of Planning and Research, and with the San Diego County Clerk.

ADOPTED this 19th day of July, 1988.

Presented By: DON L. NAY, Port Director

Robert J. Collins
ASSISTANT PORT DIRECTOR

Approved: JOSEPH D. PATELLO, Port Attorney

J. D. Patello

CALENDAR DATE	24
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San Diego Unified Port District

Office of the Clerk

CERTIFICATION OF VOTE

Passed and adopted by the Board of Port Commissioners of the San Diego Unified Port District on July 19, 1988, by the following vote:

Commissioners	Yeas	Nays	Excused	Absent	Abstained
Raymond W. Burk	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
W. Daniel Larson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Robert Penner	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Milford W. Fortwood	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Delton C. Reopelle	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
William B. Sick	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Louis M. Wolfsheimer	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

AUTHENTICATED BY:

Raymond W. Burk
Chairman of the Board of Port Commissioners

CHRISTINE M. STEIN
Clerk of the San Diego Unified Port District

By: Mary Sue Karemaa
Deputy Clerk

(Seal)

Resolution Number: 88-211
OR
Ordinance Number:
Adopted: 07/19/88

UPD Form 022 (Rev. 4/88)
25
2934

EXHIBIT "E"

Re Amendment of Port District
Master Plan - Shelter Island
Roadstead Mooring

RESOLUTION 88-212

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

WHEREAS, a proposed Plan amendment for the Shelter Island Roadstead Mooring has been prepared and processed; and

WHEREAS, a Final Supplement Environmental Impact Report pursuant to the California Environmental Quality Act, State CEQA Guidelines, and Port District procedures relative to said amendment has been prepared and certified 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. 22483 pertaining to said Shelter Island Roadstead Mooring.

SEP 23 PM 12:53

CALIFORNIA 26
2935

88-213

BE IT FURTHER RESOLVED that the Master Plan amendment shall be submitted to the California Coastal Commission for certification.

ADOPTED this 19th day of July, 1988.

Presented By: DON L. NAY, Port Director

By *Robert Bellini*
ASSISTANT PORT DIRECTOR

Approved: JOSEPH D. PATELLO, Port Attorney

J. Patello

SW
7/19/88

NO. 27
2936

San Diego Unified Port District
Office of the Clerk
CERTIFICATION OF VOTE

Passed and adopted by the Board of Port Commissioners of the San Diego Unified Port District on July 19, 1988, by the following vote:

Commissioners	Yeas	Nays	Excused	Absent	Abstained
Raymond W. Burk	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
W. Daniel Larsen	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Robert Penner	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Milford W. Portwood	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Delton C. Reopelle	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
William B. Rick	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Louis H. Wolfsheimer	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

AUTHENTICATED BY:

Raymond W. Burk
Chairman of the Board of Port Commissioners

CHRISTINE M. STEIN
Clerk of the San Diego Unified Port District

By: Mary Sue Kaseman
Deputy Clerk

(Seal)

Resolution Number: 88-212
or
Ordinance Number:
Adopted: 07/19/88