CALIFORNIA COASTAL COMMISSION
SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370

Mon 7b

November 2, 2000

TO: COMMISSIONERS AND INTERESTED PERSONS

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

SUBJECT: **Staff Recommendation on San Diego Unified Port District Port Master Plan Amendment No. 27 (North Embarcadero).** For Commission consideration and possible action at the Meeting of November 13-17, 2000)

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending that the Commission approve, in part, and deny, in part, the proposed amendment to the certified Port District Master Plan which would allow for the following development within the area of San Diego's waterfront known as North Embarcadero. The plan would allow the construction of a 600-800 room hotel, office building, retail and parking facilities on the old Lane Field site; the narrowing of Harbor Drive from four lanes to three between Grape Street and Pacific Highway; the extension of B and C Streets between Pacific Highway and North Harbor Drive; construction of a new 25-foot wide pedestrian esplanade along the water's edge at Harbor Drive; the replacement of 3 existing industrial piers with one new public pier at Grape Street; construction of a small commercial recreation facility on the new Grape Street Pier; construction of a restaurant on the bayfront inland of the Grape Street Pier; modernization of the cruise ship terminal at the B Street Pier, including an increase of building height up to 50 feet; and docking the U.S.S. Midway Aircraft Carrier for use as a museum on the south side of Navy Pier.

The amendment also includes adoption of a Parking Management & Monitoring Program for the North Embarcadero to address the potential parking demand and impacts to traffic circulation through requiring the construction of additional surface parking lots and alternatives to on-site parking, including the promotion of mass transit and planning for shuttle stops in the area.

The Midway Aircraft Carrier Museum is a visitor-serving, coastal-dependent use. However, Staff feels that the Master Plan, as currently proposed, does not provide for sufficient off-setting benefits to mitigate the substantial adverse visual impacts of the Midway. The 50 to 190 foot high ship would block existing public views, contribute to the walling off of San Diego Bay, and lead to a "tunnel" effect on Harbor Drive at the subject site. There are alternative project designs that could potentially compensate for these impacts. For example, the proponents of the museum have indicated a long-term goal of creating a memorial park on the existing Navy Pier adjacent to the proposed

Midway site. This proposal involves creating a free, visually attractive public open space area next to the Midway, where currently, the Pier is occupied by a two-story Navy building, and as proposed, would contain the parking required for the Midway museum. The amendment, as proposed, does not provide for a park or design features that could mitigate for the visual impacts of the project, or establish any mechanisms for funding removal of the parking from the pier in the near future. Therefore, the part of the amendment relating to the Midway cannot be found consistent with the Coastal Act at this time.

Staff recommends that the Commission find the Midway Aircraft Carrier Museum portion of the amendment, as submitted, inconsistent with the resource protection, public access and recreation policies of Chapter 3 and Chapter 8 of the Coastal Act, and recommends denial of this part of the amendment.

Staff further recommends that the remaining portions of the amendment relating to redevelopment of the North Embarcadero area be found consistent with Chapter 3 and Chapter 8 of the Coastal Act, and recommends approval of this part of the amendment.

The appropriate motions and resolutions can be found on Page **3**. The main findings for denial of the amendment in part, and approval of the amendment in part, begin on Page **4**.

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 August 9, 2000. Within 90 days after this submittal date, the Commission, after public hearing, shall certify or reject the amendment, in whole or in part. If the Commission fails to take action on the amendment submittal within the 90-day period, the proposed amendment is deemed certified. However, on September 19, 2000, the Board of Port Commissioners waived the 90-day time period.

Staff is currently reviewing a Local Coastal Program Amendment (LCPA) to the City of San Diego LCP associated with the redevelopment of the North Embarcadero. The LCPA would create a North Embarcadero Overlay District including design guidelines and parking requirements. The City's LCPA is intended to be consistent with the Port Master Plan vision for the North Embarcadero region, and as such, the City's proposed LCPA is referenced several times within this document as it relates to possible prejudice of the Commission review of the LCPA. The amendment is not before the Commission at this time.

STAFF RECOMMENDATION:

I. PORT MASTER PLAN SUBMITTAL – MOTIONS AND RESOLUTIONS

MOTION I: ***I move that the Commission certify the portion of the Port of San Diego Master Plan Amendment No. 27 that includes the Midway Aircraft Carrier Museum.***

STAFF RECOMMENDATION OF PARTIAL REJECTION OF PORT MASTER PLAN AMENDMENT:

Staff recommends a **NO** vote. Failure of this motion will result in rejection of the identified provisions and adoption of the following resolution and findings. The motion to certify passes only upon an affirmative vote of a majority of the Commissioners present.

RESOLUTION FOR PARTIAL REJECTION OF PORT MASTER PLAN AMENDMENT:

The Commission hereby denies certification of the portion of Port of San Diego Master Plan Amendment No. 27 that includes the Midway Aircraft Carrier Museum and adopts the findings set forth below on grounds that the amendment as submitted does not meet the requirements of and is not in conformity with the policies of Chapter 3 and Chapter 8 of the Coastal Act. Certification of the amendment would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the amendment.

MOTION II: ***I move that the Commission certify the remainder of the Port of San Diego Master Plan Amendment No. 27.***

STAFF RECOMMENDATION OF PARTIAL CERTIFICATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the remainder of the port master plan amendment and adoption of the following resolution and findings. The motion to certify passes only upon an affirmative vote of a majority of the Commissioners present.

RESOLUTION FOR PARTIAL CERTIFICATION OF PORT MASTER PLAN AMENDMENT:

The Commission hereby certifies the remainder of the Port of San Diego Master Plan Amendment No. 27 and adopts the findings set forth below on grounds that the remainder of the amendment is consistent with Chapter 8 and Chapter 3 of the Coastal Act.

Certification of the remainder of the amendment complies with the California Environmental Quality Act 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 twenty-six 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 with the provisions of Section 30711 of the Coastal Act. The proposed changes in land uses and proposed projects 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 an Environmental Impact Report under the California Environmental Quality Act. The Environmental Impact Report associated with the plan amendment was subject to public review and hearing and was adopted by the Board of Port Commissioners on April 25, 2000 as Resolution #2000-82. A public hearing on the proposed master plan amendment was held and the amendment was adopted by the Board of Port Commissioners on April 25, 2000 as Resolution #2000-83.

C. Standard of Review. Section 30700 of the Coastal Act states that Chapter 8 shall govern those portions of the San Diego Unified Port District located within the coastal zone, 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. See 14 C.C.R. § 13610(b). The proposed amendment involves changes to both land use designations and water designations. Chapter 3 is the standard of review for the changes in water use designation. In addition, proposed projects listed as appealable in Section 30715 must be consistent with the policies of Chapter 3 of the Coastal Act. The amendment includes text changes and a new project list for several appealable developments including construction of a 600-800 room hotel, office building, retail and parking facilities at Lane Field; public improvements including a pedestrian esplanade; parks and plaza areas, narrowing Harbor Drive from 4 lanes to 3; the demolition and reconstruction of the Grape Street Piers, docks, wave attenuation structure and new restaurant; and linking B and C street between Pacific Highway and North Harbor Drive. Chapter 8 of the Coastal Act is the standard of review for the balance of the proposed amendment.

Preliminary plans indicate that a small portion of the Midway carrier would extend bayward of the pierhead line. This area is not within the tidelands granted to the San Diego Port District, and thus, is within the Commission's original permit jurisdiction. A lease from the State Lands Commission would also be required. Therefore, the Midway will be required to obtain a coastal development permit from the Commission as well as the Port District. For the portion of the project within the Commission's permit jurisdiction, the standard of review would be Chapter 3 policies, not the Port Master Plan.

D. Description of Proposed Plan Amendment. The proposed master plan amendment involves changes to the text, land/water use map, and project list of Planning District 3 (Center City/Embarcadero) to allow for a number of new projects. The amendment is a result of a coordinated planning effort by the North Embarcadero Alliance, a planning body made up of officials from the Port District, City of San Diego, County of San Diego, Centre City Development Corporation, and U.S. Navy. The Alliance developed a Visionary Plan in 1998 to guide the development of the North Embarcadero area. The proposed Port Master Plan Amendment (PMPA) references the Visionary Plan's design concepts and goals in several instances; however, the Visionary Plan itself has not been incorporated into the Port Master Plan and is not the subject of this amendment or the standard of review for coastal development permits issued by the

Port District. Only the projects contained in the proposed Table 11: Project List are part of this amendment; additional projects contained within the Visionary Plan will require additional review and approval by the Commission. The Port will use the Visionary Plan for planning guidance only.

As noted above, the proposed amendment includes a table listing the following appealable projects:

- Construction of a 600-800 room hotel, office building, retail and parking at Lane Field;
- Public improvements including a pedestrian esplanade; parks and plaza areas;
- Narrowing Harbor Drive from 4 lanes to 3;
- Demolition and reconstruction of the Grape Street Piers, new boat docks, wave attenuation structure and restaurant; and,
- Linking B and C street between Pacific Highway and North Harbor Drive.

Non-appealable projects on the proposed project list include:

- Modernization and expansion of the cruise ship terminal
- Public vista points
- Infrastructure improvements to the Broadway Pier
- The Midway Aircraft Carrier Museum

A number of the improvements in the PMPA are designed to give the waterfront a more pedestrian orientation. Harbor Drive would be narrowed from four lanes to three to accommodate construction of a new bayfront public esplanade along the water's edge at Harbor Drive. The esplanade would include a new 25-foot wide pedestrian promenade on its western edge, and is a part of a larger bayside open space network connecting Harbor Island to South Embarcadero. Plazas would generally be located where east-west streets terminate, and additional public amenities such as fountains and public art would be provided.

Three existing industrial piers west of the County Administration Center would be replaced with a new 30,000 sq.ft. public pier at Grape Street and an associated 12,000 sq.ft. public boat dock. A commercial recreation facility such as a bait shop or snack shop would be located on the new Grape Street Pier. An 800-foot long floating wave attenuation screen would be integrated into the new pier to protect the boat docks. A new two-story, maximum 10,000 sq.ft., 25-foot high restaurant may be located on a 5,000 sq.ft. parcel inland of the Grape Street Pier.

The PMPA provides for the extension of B and C Streets from their current terminus at Pacific Highway to North Harbor Drive through the Lane Field site. The existing plan envisions development of the old Lane Field site and Navy Engineering building into a new complex of buildings and open space. The proposed amendment specifies that

primary consideration would be development of a 600-800 room hotel, office buildings, retail and parking facilities. The PMPA identifies a Floor Area Ratio for the site, setback and stepback requirements, heights that slope away from the Bay, and right-of-way corridors view and access corridors through the site.

The cruise ship terminal at the B Street Pier would be expanded and upgraded including increasing the height of the existing building to 50 feet (with appurtenant structures extending above 50 feet). The existing terminal is a converted warehouse and does not have adequate facilities to accommodate the size of modern cruise ships and the number of passengers on these ships. The upgrade will modernize the building to accommodate the larger ships and expand terminal facilities such as loading and customs.

The U.S.S. Midway Aircraft Carrier would be docked on the south side of Navy Pier for use as a museum. Submitted with the PMPA (although not included in the text of the Amendment) is a mitigation plan for impacts to 4 acres of open water in San Diego Bay involving the creation of 9.15 acres of new coastal salt marsh habitat in National City, south of the Sweetwater River Flood Control Channel. However, the mitigation is not mentioned in the language of the PMPA itself.

The plan also involves numerous changes to the existing land and water use designations in the Port Master Plan. The land use changes are designated largely to facilitate the proposed Embarcadero Promenade, the narrowing of Harbor Drive, and the extension of B and C Streets. The changes also reflect a more accurate accounting of the amount of land area than previously calculated, and thus, show an overall increase in land area. The revisions would result in an approximately 1.9-acre increase in the “Public Facility/Street” designation, a .2-acre increase in “Commercial Recreation” area, a 2.1-acre increase in “Park/Plaza”, and a .6-acre increase in “Promenade” area.

The plan also involve changes in water use designations, including redesignating approximately 21 acres of “Commercial Fishing Berthing” to “Specialized Berthing”, “Park/Plaza” and “Commercial Recreation” to accommodate the new public recreational Grape Street Pier and docks, and redesignation of another 5.5 acres of “Commercial Fishing Berthing” to “Specialized Berthing” to allow mooring of the U.S.S. Midway. Although the plan includes a significant reduction in “Commercial Fishing Berthing,” the replacement “Specialized Berthing” designation continues to allow commercial fishing berthing within the subject precise plan area, and language in the proposed PMPA specifically identifies commercial fishing as the highest priority use in this location.

The amendment also includes adoption of a Parking Management & Monitoring Program for the North Embarcadero. In general, new projects are required to provide adequate on-site parking to accommodate the particular project’s demand. Several new projects, including the Grape Street Pier restaurant and new public improvements like the esplanade, would utilize only public parking. Thus, the Parking Management Program is required to address the parking needs of these projects, as well as the public parking needs overall in the North Embarcadero area. The plan requires individual Parking

Management Plans prior to issuance of Coastal Development Permits for a particular project, to ensure that weekday and weekend day parking deficits are addressed. Projects in the PMPA will be phased over several years.

Section 13634 of the Code of Regulations allows for minor, immaterial changes to a Port Master Plan (Amendment) after submission of the plan. On October 31, 2000, the Board of Port Commissioners removed the following language from page 73 of the proposed PMPA request:

> The Visionary Plan proposes a 10,000-square-foot terrace along the bulkhead and an 18,000 square-foot floating public access pier at the water's edge are proposed west of the County Administration Building. (See Visionary Plan Figure 5.4 and pp. 92-95.

This change reflects the Port District's direction that the referenced projects are not intended to be implemented at this time, and therefore, should not be contained in the text of the Master Plan. This change is 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 specific policies contained in Planning District 3. 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 Act:

1. Applicable Policies

Section 30210.

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211.

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212.

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby, or,

[...]

Section 30213.

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30224

Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land for long-term commercial, recreational, scientific, and educational purposes.

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(l) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.

[…]

Section 30234

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Section 30234.5

The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

Section 30235

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30251.

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....

Section 30252.

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings.

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.

Chapter 3 is the standard of review for all appealable projects, and all projects in the water and use designations applied to water. Chapter 8 is the standard of review for the remainder of the amendment.

2. Findings for Consistency with Chapter 3/Chapter 8 of the Coastal Act

A. U.S.S. Midway Aircraft Carrier.

The amendment would provide for the permanent docking of the Midway alongside the south side of Navy Pier (Pier 11A), at the southern end of North Harbor Drive. The Midway is a decommissioned aircraft carrier which would be towed to San Diego Bay from its current station at Bremerton, Washington. The ship would be berthed against two new mooring platforms that would be constructed on the existing pier. The bow of the ship would point towards the bay. Parking for the Midway would be provided on the existing Navy Pier.

The Midway would be converted into an aircraft carrier museum. Navy Pier has historically been the departure place in San Diego for troops going to war, and the site is nearby several existing naval memorials including the Aircraft Carrier Memorial, the Homecoming Memorial, and the Presidential Unit Citation Memorial. Funding for the Midway museum comes from both private donations and loans; no public money has been involved.

1) Visual Resources. The Midway is approximately 1,000 feet long and 50 feet tall from the waterline to the flight deck. Above the flight deck, the control tower area would be approximately 190 feet tall, as measured from the waterline. Including the new mooring platforms on the north side of the ship, the width of the Midway would extend approximately 260 feet south of the existing Navy Pier.

The siting of the Midway raises concerns regarding both the compatibility of the bulk and scale of the structure with the surrounding community and the blocking of public views. The Midway would be located on the bayward side of North Harbor Drive, which parallels the shoreline and is the main coastal accessway in the downtown area. In general, the bayward side of North Harbor Drive in the North Embarcadero area consists of low-scale development such as the Harbor Excursion ticket booth, one and two-story restaurants, and the Maritime Museum historic ships including the Star of India, Berkeley, and others. The inland side of North Harbor Drive is more intensely developed with the County Administration Center, restaurants, and hotels.

The ship would be located between the existing Navy Pier to the north and the G Street Mole and Tuna Harbor Park to the south. Navy Pier currently has a 2-story Navy building on it which would remain. To the south, a two-story restaurant is located on the western terminus of the G Street Mole, while the remainder of the park is open grassy space, parking, or low-scale memorial structures.

The inland side of Harbor Drive east of the subject site is developed with a Naval Base and is under the jurisdiction of the U.S. Navy, and currently developed with multi-story structures. There are approvals on the site for a project known as the Navy Broadway Complex, which would consist of up to 2.5 million square feet of mixed commercial office, hotel and retail uses. Although no construction on this project is anticipated at this time, this project would be up to 400 feet in height.

In general, the proposed PMPA would continue the pattern of more intense, higher development on the eastern side of Harbor Drive, such as the proposed Lane Field development. The amendment would allow construction of a new 25-foot high restaurant on the bayward side of Harbor Drive inland of the new Grape Street Pier. The PMPA would also allow improvements to the existing cruise ship terminal located approximately two blocks north of the proposed Midway site, which could result in an increase in the height of the terminal building to 50 feet, with some building appurtenances extending higher than 50 feet.

The Midway, which is 50 feet high to the flight deck and portions of which would extend up to 190 feet in height, would represent a departure from the existing scale of most development located bayward of Harbor Drive. Currently, there are no structures comparable to the Midway in height and bulk located bayward of North Harbor Drive, and the relatively low-scale of development in this area allows for a mostly open viewshed towards the shoreline and Coronado. The visual effect of the Midway would be comparable to at least a 5-story high structure that would cover essentially the entire water area from Navy Pier to Tuna Harbor Park. The presence of the Midway, combined with the high-rise structures existing and anticipated on the eastern side of Harbor Drive across the street from the Midway, would create a “tunnel” effect for pedestrians and vehicles on this portion of North Harbor Drive.

Public views provided along the North Embarcadero portion of North Harbor Drive are significantly greater in number and scope than those available from the rest of Harbor Drive. South of the project site, views of the water and the bayfront are almost entirely blocked by existing development. North of Laurel Street, bay views from Harbor Drive are extremely limited. But views of the water and Coronado are currently available to both north and southbound traffic from the majority of North Harbor Drive in the North Embarcadero Area, including at the subject site.

The Midway would have a significant impact on public views. The proposed project would eliminate views of the water, Point Loma and Coronado currently available approaching the project site from both the north and the south on Harbor Drive. Views to the north from the entire G Street Mole and Tuna Harbor Park would be obstructed. This is an existing public park, and a designated vista area in the Port Master Plan. The visual quality and character of the viewshed would be severely impacted by the Midway. The EIR for the amendment suggests that this impact could be mitigated by the similar nearby public views available from the Broadway Pier. However, these views are currently available to the public, and cannot serve to offset the loss of similar views elsewhere. As proposed, the amendment does not have a plan or program to improve the visual quality of the North Embarcadero to make up for the visual loss associated with the Midway.

The Midway would be located west of, and across Harbor Drive from the terminus of F Street. This portion of F Street is within the Naval Base and is not currently open to the public. However, the Centre City Community Plan designates F Street as a view corridor to be implemented when the site is redeveloped. (The City's currently pending LCPA for the North Embarcadero area would not change or remove this designation.) The Midway would prevent the opening of any views of the water or Coronado along this designated view corridor when the Naval site is redeveloped.

Of course, all of these views would be replaced by a view of the Midway museum, which would be a visitor-serving, coastal-dependent use. San Diego has a rich Naval history and the Commission recognizes the importance of providing visitor attractions and destinations at the waterfront. Nevertheless, the North Embarcadero area is, unfortunately, one of the few areas downtown where there is a strong visual connection to the waterfront, and each new development that blocks off another significant portion of the public's view has an adverse impact. As noted above, the current plan has provisions for increasing the height of the cruise ship terminal to as high as 50 feet. The expansion is necessary to accommodate the larger size of modern cruise ships. The terminal is located approximately ¼ mile north of Navy Pier, and will further contribute to the bulk and scale of development in the area of the Midway. Although portions of the existing Navy buildings on Navy Pier were recently demolished, the existing two-story structure on Navy Pier is proposed to remain, and will contribute to the walling-off effect in the area.

There are a number of alternatives to the proposed project that could lessen or avoid the visual impact of the project. For example, a carrier could potentially be sited at or

adjacent to existing naval facilities on Coronado, the 10th Avenue Marine Terminal or the Naval stations further south in the Bay in San Diego or National City. These sites were not examined in the Environmental Impact Report associated with the proposed amendment as the Navy has not to this date expressed interest in housing a permanent museum facility. However, the Midway would most likely not present any adverse visual impact in these locations, and a partnership with the Navy should not be dismissed as a potential opportunity. In addition, the Campbell Shipyard site, which is located northwest of the 10th Avenue Marine Terminal could potentially accommodate the Midway. The bayward side of Harbor Drive is already heavily developed in this area, and an aircraft carrier would likely not have as significant of an impact on public views. Although the Port has expressed interest in constructing a hotel at the Campbell site, the recent discovery of significant amounts of contaminants at the site suggests an alternative project like the Midway may be suitable at this location.

However, if the proposed location remains the only desirable location to the Port District and the project proponents, another potential alternative to the proposed project has been raised by proponents of the Midway museum, for future build-out of the site. A conceptual plan has been developed to site the Midway south of Navy Pier, as proposed, but to also demolish the existing Navy building on the Pier, and redevelop the Pier as a pedestrian-oriented memorial park with plazas, grassy lawns, benches promenades, design features, and even a Navy wives club and chapel for small social functions and public food service. Under this "conceptual plan," parking for the Midway would be located nearby in a new parking structure on the inland side of Harbor Drive.

In contrast, under the current amendment, Navy Pier would be used for parking for visitors to the Midway. While parking is clearly necessary to accommodate the use, providing public parking is not the best use of a water-oriented structure, and would have an adverse impact on the visual quality of the area. It appears that a plan like this conceptual plan would improve the visual quality of the North Embarcadero area in a manner which could potentially off-set the adverse visual impacts of the ship. Although the proponents of the Midway have indicated their preference for this conceptual plan, there is nothing in the proposed Master Plan amendment that provides for the implementation of this design, the EIR did not evaluate the plan, and no off-site parking facility has been identified or funded.

Another alternative involves lowering the Midway approximately 10 feet by dredging the bay at the proposed site; however, potential environmental impacts of dredging have not been examined, and a 10 foot difference in height would not substantially alter the visual impact of the project. Given the expense that would likely be associated with dredging, allocation of the money towards implementation of the conceptual plan would likely be a more effective means of mitigating the visual impact of the Midway.

In summary, the Midway Aircraft Carrier Museum portion of the proposed PMPA would have a significant adverse visual impact in its proposed location. No off-setting mitigation for these adverse impacts has been proposed. There are a number of potential

project alternatives that could avoid or reduce the impacts. A conceptual site plan has been developed that demonstrates that there is an alternative, or long-term, Midway project involving creation of a public park on Navy Pier that would improve the visual quality of the North Embarcadero area, and would potentially mitigate the adverse visual impacts of the carrier. However, this plan is not currently part of the proposed PMPA. Allowing a project of this magnitude to proceed in the absence of mitigation would set an adverse precedent for development on the North Embarcadero. Until the Master Plan contains provisions for developing and implementing a Midway project that includes mitigation for the visual impacts of the project (including a funding mechanism for implementation, if necessary), the Midway portion of the plan cannot be found consistent with the visual protection policies of Chapter 3 and Chapter 8 of the Coastal Act.

2) <u>Parking/Public Access</u>. Currently, Navy Pier is restricted to authorized military and civilian personnel. No public parking is available on the pier, except during Summer Pops concerts. The EIR for the project determined that the peak parking demand for the Midway will be approximately 348 spaces on a weekend and 279 spaces on a weekday. The parking for Midway would be provided on the adjacent Navy Pier. Because some parking spaces would still be required for the Navy facility to remain on the pier, the required 348 spaces would be available on the weekends, but only 200 spaces would be available on weekdays, 79 spaces short of the weekday requirement. The EIR indicates that 79 additional off-site parking spaces would be secured.

However, the Parking Monitoring and Management Program does not specifically require that this off-site weekday parking be provided. Nor does the Program contain any long-term measures or goals designed to ultimately accommodate the required parking for the Midway in off-site satellite lots. As noted above, the Commission supports the development of visitor-serving attractions along the waterfront. And typically, on-site parking is preferred to off-site parking, because it provides the most convenient access for the public. But a pier is not the appropriate place to be developing new permanent parking facilities. The parking lot will not be a visually attractive development, it will not provide a pedestrian recreational opportunity, and could have adverse impacts to habitat and water quality (see Section 3, below).

The proposed PMPA is designed to promote the waterfront as a visitor destination, and as such, should contain specific provisions promoting and requiring the funding and development of off-site parking for the Midway, as well as for other visitor-serving uses in the area. The Parking Management Program does include some general provisions for promoting public transit and an area shuttle, but no measures designed to relocate the Midway parking off of Navy Pier. Converting a pier into a permanent parking area would not have a positive impact on the visual quality of the North Embarcadero area, or on the public access and recreational opportunities. The PMPA should include the means to implement and fund a long-term alternative parking and transportation program to offset visitor parking deficits rather than create additional parking on Navy Pier. Therefore, the Commission cannot find the Midway portion of the project consistent with the public access and recreation policies of the Coastal Act.

3) <u>Biological Resources</u>. Approximately 350 parking spaces would be located on Navy Pier to serve visitors to the Midway museum. This would create the potential for petroleum hydrocarbons, grease, etc. associated with vehicles to enter San Diego Bay through direct leakage and stormwater runoff. A Storm Water Pollution Prevention Plan (SWPPP) is required for the project, that must contain Best Management Practices (BMPs) to address contaminants through such means as grease/oil separators. The Port Master Plan does not specifically require the adoption of BMP programs for the Midway; however, the Plan does require lease agreements that ensure tenants do not contribute to water pollution.

The ship's hull would be protected with a cathoditic system, in an effort to minimize hull maintenance requirements. Maintenance activities such as painting other parts of the ship are required to occur in conformance with state and federal regulations, as outlined in an Environmental Protection Plan which has been prepared for the Midway, although this plan has not been specifically incorporated into the PMP. The ship would be moved to dry-dock about every 20 years where major maintenance activities would occur. However, there are no plan policies proposed in the PMPA requiring maintenance or adoption of the maintenance plan. The Port District has indicated that if the Midway museum did not succeed financially, the Navy would take the ship back, so it would not remain in place indefinitely. The Port has stated that the Midway's lease agreement and coastal development permit will require guarantees in the form of a bond or other financial means that will ensure that the ship will be removed from San Diego Bay should it go bankrupt.

The Midway would not actually rest on the ocean floor; rather it would occupy approximately 28 feet of the water column, with approximately 12 feet between the bottom of the hull and the ocean floor. Mooring the carrier would result in approximately 4.1 acres of impact to open water habitat, which is valuable habitat for fish and foraging birds. The hull of the Midway touching the water would cover approximately 2 acres of the Bay, the overhang of the flight deck would shadow up to an additional 2 acres of open water, and the mooring platform structures would result in 0.1 acres of impact.

As part of the proposed PMPA submittal and at the request of Commission staff, the Port has submitted a mitigation plan for the 4 acres of open water impacts. The proposed mitigation involves expansion of an existing degraded marsh east of south San Diego Bay in the City of National City. The site is known as Lovett Marsh, a tidal channel surrounded by development south of the Sweetwater River Flood Control Channel. The plan involves excavating sediment from surrounding uplands in order to create new tidal wetland habitat, grading existing upland slopes and seeding them with Maritime Succulent Scrub vegetation, and planting coastal salt marsh vegetation in the newly created wetland area. The mitigation would itself impact 0.89 acres of existing "disturbed" coastal salt marsh and 0.74 acres of mule fat scrub, but result in the creation of approximately 9.15 acres of new coastal salt marsh as mitigation for loss of 4.1 acres of open water habitat.

The proposed mitigation raises several concerns. First, the Commission typically requires that mitigation be "in-kind," that is, the mitigation should replace the same kind of habitat that is impacted, as close to the impact area as possible. In the case of the proposed project, the salt marsh mitigation site is several miles south and inland of the open water impact site. The Port District has indicated that there are a limited number of sites in San Diego Bay under the control of the District where a restoration project could create new open water habitat. However, the District did not consider these sites as potential mitigation sites for the Midway, as they are intended to serve as mitigation sites for future Port projects. Given the amount of build-out in San Diego Bay, opportunities for open water mitigation sites in the Bay are very limited, which suggests that additional impacts to Bay habitat may be inappropriate.

Nevertheless, in this particular case, the mitigation plan has been reviewed by the Commission staff ecologist, National Marine Fisheries and the U.S. Fish and Wildlife Service. The Commission has in the past approved saltmarsh restoration as mitigation for open water impacts, although in most cases, the mitigation has a strong open-water component. The creation of salt marsh habitat as proposed has been given preliminary approval as adequate to off-set the biological impacts of the project.

However, the project is within the limits of the City of National City, which has not yet reviewed or approved the project, and thus, the ability to carry out the project is in question. The mitigation plan, although submitted as part of the PMPA, is not listed as a project in the Project List in the proposed Port Master Plan Amendment. The Port District has indicated that it would be inappropriate to include a mitigation site in the Port Master Plan that is not within the Port District limits. However, the Plan could, and should contain a requirement that mitigation be provided for impacts resulting from the Midway. There are no general provisions in the existing Port Master Plan that require mitigation for such open water or any environmental impacts.

The mitigation required to offset the impacts of the Midway is substantial and, as of this time, is unsecured. As currently proposed, there is no requirement in the language of the proposed PMPA that the Midway provide adequate mitigation, and thus, the Commission cannot be assured that mitigation will occur. Therefore, the Commission finds the Midway portion of the proposed PMPA inconsistent with the resource protection policies of Chapter 3 and Chapter 8 of the Coastal Act.

B. <u>North Embarcadero Redevelopment</u>.

As described above, the amendment includes public improvements along Harbor Drive, narrowing Harbor Drive from four lanes to three between Grape Street and Pacific Highway, replacing three existing industrial piers west of the County Administration Center with a new public pier at Grape Street, a new 25-foot high restaurant inland of the Grape Street Pier, the extension of B and C Streets, development of the old Lane Field site and Navy Engineering building with a 600-800 room hotel, office building, retail and

parking facilities in a new complex of buildings and open space, and expansion of the cruise ship terminal at the B Street Pier would be expanded to up to 50 feet in height.

1) <u>Visual Resources</u>. The plan contains provisions for the establishment of view corridors and a 60 foot height limit in the Laurel Street corridor, landscape and streetscape improvements along the proposed esplanade on North Harbor Drive, and public viewing/vista points along the Crescent shoreline from Laurel Street to Market Street. Language in the plan states that the wharf side of the esplanade is to remain clear of objects or furnishings that would block Bay views.

The extension of B and C Streets from their current terminus at Pacific Highway through to North Harbor Drive would create new view corridors and increase public access to the waterfront from downtown. The City of San Diego's pending LCP also provides for the extension of these streets and designates them as view corridors.

The plan sets an FAR of 7.0 and 6.5 for the Lane Field parcel, while establishing building height limits on the site ranging from 200 feet to 400 feet sloping back from the Bay. The plan also sets setbacks and stepbacks along the Broadway side of this parcel. These criteria are consistent with those proposed in the City's pending LCP.

The plan establishes a 12 foot high building height limit in the area of the proposed esplanade, with the exception of a 25-foot high height limit for the parcel at Harbor Drive inland of the Grape Street Pier to allow for construction of a new restaurant. The construction of a new two-story structure in this area raises concerns about view blockage and bulk and scale. As discussed above, the majority of North Harbor Drive is characterized by low-scale development and open views towards the water, and any new construction on the bayward side of Harbor Drive has the potential to adversely impact public views.

However, in this particular case, the second-story of the restaurant would be off-set from the Grape Street View corridor, and thus, wouldn't block any existing views down this street. Additionally, Grape Street is a one-way street with traffic heading away from the Bay, so existing views from this street are limited. View blockage from Harbor Drive remains a concern, but with the exception of this parcel, structures on the bayward side at this portion of North Harbor Drive are limited to 12 feet in height, such that the impact of this one structure will be limited and can be found consistent with the resource protection policies of the Coastal Act. However, the Commission will continue to review new projects in this area with the visual impact to pedestrians and vehicles on Harbor Drive in mind.

The amendment also includes expansion of the cruise ship terminal to a maximum of 50 feet in height. Some building appurtenances would extend above 50 feet. The existing building was a warehouse that was converted to a cruise ship terminal many years ago. The cruise ship industry has changed considerably in the last two decades, and ships are far larger than they were previously. At the existing terminal, moving cargo and people

is difficult and inefficient, and compromises the effectiveness of the terminal operation. The structure is also too small to reasonably accommodate the number of people boarding and disembarking the ships, going through customs, etc. The expansion would modernize the terminal to accommodate present-day cruise ships and traffic intensity (vessels and people). Although the height increase would contribute incrementally to a walling off of the bay, a cruise ship terminal is a coastal-dependent, high-priority use under the Coastal Act. The height increase would contribute to the bulk and scale of development on the bayfront, but not actually block any existing views. The project would not require any expansion of the existing pier or filling of the bay. The expansion would follow the design guidelines of the North Embarcadero Visionary Plan, such that the building would have stepbacks and architectural features to minimize its visual impact.

In summary, the plan includes numerous features designed to protect and enhance views to and along the waterfront. No significant impacts to views or community character will result from the amendment. Therefore, this portion of the proposed Port Master Plan Amendment can be found consistent with the visual protection policies of Chapter 3 policies and Chapter 8 policies of the Coastal Act.

2) <u>Public Access/Parking</u>. As noted above, numerous Coastal Act policies pertain to the provision of adequate public access to the shoreline. The plan contains provisions for many public access improvements including the replacement of the Grape Street industrial piers with a new public pier, the extension of B and C Streets, the Harbor Drive esplanade and parks, and streetscape improvements to Broadway Pier. The Lane Field parcel will have access corridors a minimum of 80-feet wide to enhance physical and visual access to the waterfront. A north-south pedestrian link, if practical, is also proposed through this parcel.

When development does not provide adequate parking facilities, or alternative means of access such as public transit, the general public can be precluded from accessing the shoreline. The Parking Management & Monitoring Program submitted as a component of the proposed amendment is intended to ensure that the proposed development will maintain and enhance public access to the coast consistent with the public access and recreation policies of the Coastal Act.

The EIR analyzed the projected parking demand for the proposed PMPA. In general, new projects are required to self-park; that is, provide adequate parking to accommodate the particular project's demand, and would not compete for public parking. However, several new projects, including the Grape Street Pier restaurant and new public improvements like the esplanade, would utilize public parking. The parking analysis determined that on weekdays, adequate public parking to serve the area Thus, the Parking Management Program is required to address the parking needs of these projects, as well as the public parking needs overall in the North Embarcadero area. The plan requires individual Parking Management Plans prior to issuance of Coastal Development

Permits a for particular project, to ensure that weekday and weekend day parking deficits are addressed.

Projects in the PMPA will be phased over several years. An annual monitoring program tied to actual "parking utilization" will begin after completion of the first project under the Plan. Additional parking construction will begin when utilization thresholds exceed 90% capacity, that is, when monitoring determines existing parking has reached 90% of capacity, new parking facilities will be required. Implementation of the monitoring and construction of new parking facilities will be required as conditions of new coastal development permits.

The narrowing of North Harbor Drive and the increase in traffic generated by the redevelopment in the proposed amendment could have an adverse impact on public access by restricting the flow of traffic. North Harbor currently provides six lanes of traffic north of Grape Street, four lanes between Grape Street and Broadway and two lanes south of Broadway to Pacific Highway. The proposed amendment includes re-striping North Harbor Drive between Grape Street and Pacific Highway to a three-lane roadway (two lanes southbound and one lane northbound). A traffic analysis performed for the amendment analyzed 22 key signalized intersections and 40 street segments in the plan area. The analysis determined that in the near-term, traffic conditions at only 6 intersections and 3 street segments would worsen as a result of implementation the amendment, and these impacts were determined to be less than significant, because the delay increases are small and in no case did Levels of Service (LOS) fall below LOS D. (Two street segments currently at LOS E would continue to operate at LOS E.) Level of Service E is considered "significant" under City of San Diego standards for the Centre City area.

The only significant impacts identified were cumulative impacts to portions of Interstate 5 and several freeway on-ramps and off-ramps. These impacts are considered unmitigatible at the current time, although an I-5 freeway corridor study currently being prepared by the San Diego Association of Governments (SANDAG) will address deficiencies on the freeway and its ramps and recommend traffic improvements. These impacts occur outside of the Coastal Zone and are the result of region-wide growth and development. The proposed amendment will not result in traffic impacts that will adversely impact public access or recreation in the Coastal Zone.

One of the stated goals of the Parking Program is both reducing the parking demand and increasing the parking supply, in order to achieve a balance between the supply and demand of parking in the area. The Parking Program has measures designed to promote the use of transit and pedestrian use of the area, including promoting subsidized transit passes for employees of area businesses, providing information to downtown hotel guests regarding the availability of transit uses, plans for shuttle stops at two locations on Harbor Drive within the North Embarcadero area, promoting pedi-cab use and providing areas for pick-up and drop-off, and providing bicycle racks and lockers within the area. In addition, the Program calls for providing "trailblazing measures", that is, providing

signs showing directions to the North Embarcadero area from downtown and transit locations, directions on local kiosks and transit/shuttle stops. The Parking Program would require that as a condition of approval for future coastal development permits, use of mass transit be encouraged and supported.

Traffic improvements that will improve public access are planned for the North Embarcadero area, including additional traffic signals and controlled intersections to improve pedestrian access, and a separate 10-foot wide bicycle path to run parallel to the promenade. The bicycle path will accommodate both bicycles and pedi-cabs. As proposed, the North Embarcadero portion of amendment provides public access amenities and will not result in adverse impacts to public access. Therefore, this portion of the amendment can be found consistent with the public access and recreation policies of Chapter 3 and Chapter 8 of the Coastal Act.

3) <u>Biological Resources</u>. The plan involves the construction of a new 30,000 sq.ft. public recreational pier at Grape Street. Although the project involves the placement of new pilings, the pier will replace three existing piers that together total approximately 30,000 sq.ft. in area, thus, there will be no change in the amount of water area shaded by pier structures. The EIR for the proposed amendment determined that there is no eel grass in the amendment area.

The proposed Grape Street Pier also includes construction of a wave attenuation structure. The Port District has clarified that this structure will be a floating concrete structure or similar structure that does not involve any fill, and that the structure will be the minimum necessary to reduce wave force on the propose pier and recreational docks. The placement of structural pilings for public recreational piers that provide public access and recreational opportunities, such as those proposed in the PMPA, is a permitted use under Section 30233 of the Coastal Act.

Therefore, the Commission finds that this portion of the proposed Port Master Plan Amendment can be found consistent with the Chapter 3 and Chapter 8 policies of the Coastal Act regarding the protection of biological resources.

C. <u>Centre City LCPA</u>.

Staff is currently reviewing an application by the City of San Diego to amend its certified LCP to create a North Embarcadero Overlay District including design guidelines and parking requirements. The City's LCPA is does not proposed any changes in land use, but is largely intended to ensure that the existing community plans and Planned District Ordinances governing the North Embarcadero region (Centre City and Marina Districts) are updated consistent with the vision for the North Embarcadero region as proposed in the Port Master Plan and in the Visionary Plan (although the Visionary Plan is not proposed to be incorporated into the LCPA). Although the majority of the North Embarcadero region is within the Port District's coastal development permit jurisdiction, the Centre City community plan and PDO contain graphics and planning goals for the

North Embarcadero shoreline to help ensure consistent planning for the region as a whole.

As noted within this report, preliminary review of the City's LCPA suggest that the amendment is generally consistent with the goals and requirements of the proposed PMPA, and approval of the North Embarcadero portion of the PMPA will not prejudice the Commission's review of the City's LCPA in the future.

D. Consistency with the California Environmental Quality Act (CEQA). As described above, the proposed amendment does have the potential to result in damage to visual and biological resources in the form of individual and cumulative impacts. The proposed amendment was the subject of an Environmental Impact Report under CEQA. The EIR was subject to public review and hearing and was adopted by the Board of Port Commissioners. However, the Commission has found that the Midway portion of the proposed PMPA #27 cannot be found in conformance with Chapter 3 and Chapter 8 policies of the Coastal Act and that that portion of the proposed amendment will result in significant adverse impacts to the environment of the coastal zone. Therefore, the Commission finds that the Midway part of the amendment is inconsistent with the California Environmental Quality Act.

The remaining portion of the amendment has been found consistent with the visual, biological, and public access and recreation policies of the Coastal Act. the proposed project will not cause significant adverse impacts to the environment. Specifically, the amendment has been found consistent with the public access and recreation, visual resource and biological protection policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the amendment might have on the environment. Therefore, the Commission finds that the remaining portion of the amendment is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.