TO: COMMISSIONERS AND INTERESTED PERSONS

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SUBJECT: Staff Recommendation on San Diego Unified Port District Port Master Plan Amendment No. 6-PSD-MAJ-45-13 (Convention Center Expansion III). For Commission consideration and possible action at the Meeting of October 9-11, 2013.

SUMMARY OF REQUEST

The proposed Port Master Plan Amendment (PMPA) consists of changes to the text, graphics, project list, and Public Access Programs for the South Embarcadero subarea of the Port Master Plan to allow for the expansion of the existing San Diego Convention Center (SDCC) and the construction of a new Hilton Hotel tower. The SDCC is located in downtown San Diego, on the bayward side of Harbor Drive, overlooking San Diego Bay. The existing Hilton Hotel is located approximately 370-550 feet southeast of the SDCC, a cross Park Boulevard.

The existing, approximately 100-foot high, 2,613,465 square feet SDCC would be expanded approximately 740,000 sq.ft. The expansion would extend the existing building up to approximately 275 feet towards the existing Hilton hotel, in the area now occupied by a 1.6 acre landscaped open space, public art and Park Boulevard, and approximately 185 feet bayward, in the area currently developed with the grassy bayfront park, the water transit center, the Fifth Avenue Landing parking lot, and Convention Way. In order to accommodate the expansion, Park Boulevard would be realigned to be roughly parallel with the Hilton hotel, and Convention Way would be shifted to be adjacent to the existing public promenade. As a result, Park Boulevard would be located immediately adjacent to the proposed pedestrian walkway. The water transit center would be relocated to the shoreline at the corner of Convention Way and Marina Park Way.

The roof of the SDCC expansion area, which slopes upward from northwest to southeast, is proposed to be developed as an approximately 5-acre public park/plaza. The park would be accessible from a ramp walkway located along Convention Center Way, as well as from a variety of access points including the existing stairs and skywalk built with the first expansion of the SDCC, and elevators. The rooftop park/plaza would include a mix of hardscape and landscape, including lawns, shrubs, wetland plants, pavilions, gardens
with lighted paths and fixed and movable furnishings. Support facilities such as restrooms, and park mechanical and maintenance facilities would be provided.

The addition to the Hilton would consist of a second tower the same height as the existing tower (372 feet), located to the north of the existing Hilton Hotel tower, next to the existing 7-story parking structure. A new ballroom would be located atop the existing parking structure. The new hotel facilities would include 500 new rooms, a lobby, approximately 55,000 net square feet of ballroom/meeting space, and other ancillary uses. As a result of the SDCC and Hilton expansions, the distance between the two structures would be narrowed to approximately 270 feet.

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending denial of the PMPA as submitted.

The proposed PMPA will result in significant impacts to views, visual quality and coastal recreation through the substantial loss of already limited waterfront area and open space. Specifically, constructing the 100-foot high, 1,000 foot long expanded SDCC building only 35 feet from the existing public promenade, 70 feet from the water’s edge, will significantly diminish the spacious, open feel of the existing public accessway, and will contribute to the sense that the shoreline is part of the Convention Center. Construction of a building of this size and width so close to the waterfront would be unprecedented in San Diego County, because setting back buildings a reasonable distance from the shoreline ensures that the public will have both visual and physical access to the waterfront.

The SDCC expansion also will eliminate the 1.6 acre landscaped open space and public area located adjacent to Harbor Drive while were provided to mitigate the first expansion of the SDCC, and the existing 5.5 acre ground level waterfront grassy park, which was created in part to help offset the impacts to public access and recreation resulting from construction of the existing Hilton and (unbuilt) Spinnaker projects. The waterfront park is one of the few grassy waterfront park areas in downtown San Diego, along with the South Embarcadero Marina Park, which is already cut off downtown. These areas are used by the public for passive recreation such as picnicking and observing the Bay, as well as for events that draw the public down to the waterfront. The project includes construction of a 5 acre rooftop park, but the park would not be visible from any surrounding inland streets, and it is unlikely that people would even be aware of the existence of the park, let alone be willing to travel around and up to the top of the SDCC to stroll and recreate. The current SDCC has terraces and tables located on the waterside of the building which go used and unnoticed by the public, because they appear to be private amenities of the SDCC and it is likely that the proposed rooftop park would be similarly vacant, except for private functions held by the SDCC and the Hilton.

Furthermore, the SDCC and Hilton expansions will significantly reduce the view corridor between the two existing structures. This area is currently approximately 370 feet to 550
feet wide, and is one of the few windows to the water in the solid mass of buildings along almost the entire length of Harbor Drive. The proposed expansion will reduce the distance between the buildings to approximately 270 feet, creating a tunnel effect and significantly reducing views, particularly from the pedestrian bridge spanning Harbor Drive at Park Boulevard.

Since the first Convention Center expansion was approved, Park Boulevard/Convention Center Way has been the only vehicular access to the public park at Embarcadero Marina Park South. In many ways, Park Boulevard/Convention Center Way currently functions mainly as back-of-house access to the SDCC. As proposed, Park Boulevard would be redesigned to provide valet parking to the SDCC, and operate as the main accessway to the Hilton. Only a narrow road behind the SDCC would remain for Embarcadero Marina Park access. By narrowing the corridor between the structures even further, and expanding the SDCC next to the water, the project would further isolate this major coastal recreational resource, essentially transforming it into a private amenity for SDCC visitors.

Since the PMPA was originally submitted, Commission staff and Port staff have worked to make revisions to the project to address the impacts identified above. Unfortunately, there are two key elements—construction of a pedestrian bridge at 4th Avenue, and revisions to the southwest corner of the SDCC expansion, where Port and Commission staff were unable to reach agreement on. Construction of a pedestrian bridge linking the Gaslamp District to the skywalk on the existing SDCC was reviewed as part of the EIR prepared for the PMPA, but ultimately not included in the project due to a lack of funding. Currently, getting to the bayfront from the Gaslamp District requires crossing multiple railways and lanes of traffic at ground level and either going up the steep stairs and over the middle of the building, or walking at least 1,000 feet around the SDCC to the little known “canyon” accessway on the north side of the building, or walking the same distance to the south side of the building and another 1,000 feet down Park Boulevard to the shoreline. Given these obstacles and the lack of wayfinding signage or other objects drawing people to the water, there is currently almost no relationship between upland areas and the coast. A pedestrian bridge at 4th Avenue could drastically improve the connection between the busy downtown area and the shoreline that was essentially eliminated by the first SDCC expansion. Even if funding is not currently available, Commission staff suggested language could be added to the PMP that would require the Port District to pursue funding for the bridge, and return to the Commission for a PMPA at a time certain if funding and construction of the bridge proves infeasible, to propose alternative means of improving waterfront access and activation of limited public spaces. Thus, the Commission could have been assured that the both the existing and proposed public improvements around the SDCC would actually be available to and used by the public.

Revisions to the building itself were also discussed, in the form of “notch” in the southwest corner of the proposed SDCC expansion and angling the building corner to
preserve some of the views of the waterfront from the existing Park Boulevard pedestrian bridge. Although only a minor change in the building configuration was contemplated, this change would have reduced the view blockage that will result from the proposed SDCC expansion. These potential changes are described in greater detail in the project description, below.

Therefore, staff is recommending the Port Master Plan Amendment be denied as submitted at this time.

The appropriate motions and resolutions can be found on Page 4. The main findings for denial of the begin on Page 7.

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 PMPA was deemed submitted on July 15, 2013. Within 90 days after this submittal date, the Commission, after public hearing, shall certify or reject the amendment, in whole or in part. Thus, the Commission must take action by October 13, 2013. If the Commission fails to take action on the amendment submittal within the 90-day period, the proposed amendment is deemed certified.

STAFF RECOMMENDATION:

I. PORT MASTER PLAN SUBMITTAL - RESOLUTION

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 I (Resolution to deny certification of Port of San Diego Master Plan Amendment No. 6-PSD-MAJ-45-13)

MOTION I

I move that the Commission certify the San Diego Unified Port District Master Plan Amendment No. 6-PSD-MAJ-45-13 as submitted by the port.
**Staff Recommendation**

Staff recommends a NO vote. Failure of this motion will result in rejection 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 I**

**Deny Certification of Amendment**

The Commission hereby denies certification to San Diego Unified Port District Master Plan Amendment No. 6-PSD-MAJ-45-13 and finds, for the reasons discussed below, that the amended Port Master Plan does not conform with or carry out the policies of Chapter 3 and Chapter 8 of the Coastal Act. Nor would certification of the amendment 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.

**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 approximately forty-three 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 do not conform to the provisions of Section 30711 of the Coastal Act. The proposed changes in land and water uses do not contain sufficient detail in the port master plan submittal for the Commission to make a determination that the proposed amendment is consistent 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 December 19, 2012 as Resolution #2012-135. A public hearing on the proposed master plan amendment was held and the amendment was adopted by the Board of Port Commissioners on December 19, 2012 as Resolution #2012-136.

C. Standard of Review. Section 30700 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. Sections 30714 and 30716 of the Coastal Act provides that the Commission shall certify a PMPA if the it conforms with and carries out the policies of Chapter 8 of the Coastal Act or, if there is a portion of the proposed PMPA that is appealable to the Commission pursuant to section 30715 of the Coastal Act, then that portion of the PMPA must also be consistent with Chapter 3 policies of the Coastal Act. Pursuant to section 30715(a)(4) of the Coastal Act, a port-approved hotel, motel or shopping facility not principally devoted to the sale of commercial goods utilized for water-oriented purposes is appealable to the Commission. The proposed amendment involves changes to the text and project list of the Centre City Embarcadero Planning District 3. The proposed new Hilton hotel tower and associated improvements are appealable to the Commission and thus, that portion of the proposed PMPA must be consistent with both the Chapter 8 and Chapter 3 policies of the Coastal Act. Any proposed redesignations of water area between Specialized Berthing and Recreational Berthing, to accurately reflect the location of the existing transient marina, would be subject to the Chapter 3 policies of the Act. The Convention Center Expansion project is not located within San Diego Bay, and is not identified as an appealable project; thus, Chapter 8 is the standard of review for this portion of the project.
D. **Summary of Proposed Plan Amendment and History.**

1. **Project Setting & History.**

The existing San Diego Convention Center (SDCC) is located in downtown San Diego, on the bayward side of Harbor Drive, overlooking San Diego Bay. The site and the area surrounding the site are entirely developed with urban uses. The existing Hilton Hotel is located to the southeast, the Marriott hotel to the northwest, and Petco Park across Harbor Drive to the northeast. The existing Embarcadero Marina Park South public park is located bayward of the Convention Center. Access to the SDCC is from Harbor Drive and from Park Boulevard, which becomes Convention Way/Marina Park Way behind the SDCC. Park Boulevard/Convention Way/Marina Park Way is also the only accessway to Embarcadero Marina Park South (see Exhibit #1).

The existing, approximately 100-foot high SDCC has a gross building area of 2,613,465 square feet with a maximum capacity of 125,000 people. This includes approximately 525,700 sq.ft. of prime exhibit hall, 90,000 sq.ft. of additional exhibit space in the Sails Pavilion, approximately 118,700 sq.ft. feet of meeting rooms, and two ballrooms totaling approximately 81,000 sq.ft.

The original SDCC was approved by the Commission in November 1984 on an approximately 16-acre site on the northwest side of 5th Avenue at Harbor Drive. In January 1996, the Commission approved PMPA #21 providing for a two-level, approximately 800,000 sq.ft. expansion on the southeast side of the existing structure, roughly doubling the size of the existing center at that time. The expansion spanned, and thus required the closure of 5th Avenue bayward of Harbor Drive, which at that time provided direct access to Embarcadero Marina Park South. As a replacement for the loss of this accessway, the expansion included a “skywalk” on the roof of the proposed expansion, consisting of stairs and a funicular (inclined elevator) on the Harbor Drive side of the building, leading up approximately 70 feet to a lookout area on the top of the structure, with stairs and an elevator on the bay side of the structure to provide access to terraces on the building and the ground level park and promenade.

The existing Bayfront Hilton Hotel was approved by the Commission in December 2001 (PMPA #31). The approved project consisted of construction of a 1,000-2,000 room hotel, parking structure and marina at the Hilton site, a new water transit center, a new public recreational pier, a 60 to 35-foot wide public promenade within the industrial leaseholds along the bayfront, a 5.5 acre waterfront park and plaza between the hotel and the existing SDCC, and a 250-room “Spinnaker” hotel with ancillary hotel facilities, restaurant and retail uses located bayward of the SDCC, at the entrance to Embarcadero Marina Park.
Most, but not all of the components of the PMPA approved were implemented, including construction of a 30 story, 372-foot high, 1,200 room Hilton Hotel, the extension of the bayfront promenade paralleling the shoreline, the 5.5-acre waterfront park, and the water transit center. The Spinnaker hotel and associated facilities, and the public recreational dock (other than a small stub not open to the public) have not been constructed. The area proposed for the Spinnaker hotel has been converted to a parking area used mainly by the SDCC for special events, or left vacant.

2. Amendment Description

a. Original Proposal

The proposed Port Master Plan Amendment (PMPA) for the San Diego Convention Center (SDCC) expansion involves changes to the text, the project list, the graphics, and land use allocations within the Port District’s Centre City Embarcadero Planning District 3 to accommodate a major expansion to the existing Convention Center, expand the existing Bayfront Hilton, and revise/remove the previously proposed projects located in the area of the proposed expansion. The project includes the following components:

- Construction of an approximately 740,000 sq.ft. addition to the SDCC;
- Construction of an approximately 5 acre rooftop park/plaza atop the SDCC;
- A 500 room expansion of the Hilton;
- Realignment and narrowing of Convention Way bayward;
- Relocation of the Fifth Avenue Landing Water Transportation Center westward;
- Realignment and upgrades to existing utility infrastructure; and
- Updates to the PMP Public Access Plan

The proposed SDCC expansion would extend the existing building up to approximately 275 feet towards the existing Hilton hotel, in the area now occupied by a 1.6 acre landscaped open space, public art, and Park Boulevard, and approximately 185 feet bayward, in the area currently developed with the grassy bayfront park, the water transit center, the Fifth Avenue Landing parking lot, and Convention Way. In order to accommodate the expansion, Park Boulevard would be realigned to be roughly parallel with the Hilton hotel, and Convention Way would be shifted to be adjacent to the existing public promenade. As a result, Park Boulevard would be located immediately adjacent to the proposed pedestrian walkway and terminate more directly at the bay. The water transit center would be relocated to the shoreline at the corner of Convention Way and Marina Park Way, at the location previously intended for the Spinnaker hotel.

The proposed SDCC addition would add approximately 220,150 sq.ft. of prime exhibit hall, approximately 101,500 sq.ft. of meeting rooms, and approximately 78,470 square feet of ballroom space, for a total building area of 736,150 square feet. New exterior space would include 172,220 sq.ft. of rooftop park/plaza, 35,750 sq.ft. of inclined
walkway, and 26,730 sq.ft. of visitor-serving retail in the interior and up to an additional 15,770 sq.ft. on the exterior of the proposed building. The existing 16,880 sq.ft. of outside public terraces would be removed to accommodate the expanded building. The total gross building area for the expansion, including exterior space, would increase from 2,614,460 sq.ft. to 3,624,210 sq.ft. The two-level expansion would reach approximately 110 feet above grade at its highest point on its southeastern end and would decline steadily to approximately 62 feet at its northwestern end.

The roof of the SDCC expansion area, which slopes upward from northwest to southeast, is proposed to be developed as an approximately 5-acre public park/plaza. The park would be accessible from a variety of access points including the stairs, skywalk, and funicular at Harbor Drive, stairs and an elevator at the southwest corner of the expansion, near the entry onto Marina Park Way, elevators at the south midpoint of the rooftop park/plaza on the bayward side of the structure, a ramp walkway located along Convention Center Way, and an elevator at Park Boulevard. Access would also be available from within the Convention Center. The rooftop park/plaza would include a mix of hardscape and landscape, including lawns, shrubs, wetland plants, pavilions, gardens with lighted paths and fixed and movable furnishings. Support facilities such as restrooms, and park mechanical and maintenance facilities would be provided. Although the primary purpose of the rooftop park/plaza is to provide passive public recreational opportunities; as proposed, portions or all of the 5-acre rooftop park/plaza may be utilized for organized events, including large concerts associated with corporate incentive type groups consisting of up to 4,000 individuals, receptions with light music, outdoor catered banquets of various sizes, chef’s table tastings, and commercial photo, video, or movie shoots.

The PMP also includes a major addition to the existing Hilton hotel. The addition would be a second tower the same height as the existing tower (372 feet), located to the north of the existing Hilton Hotel tower, within the space bounded to the northwest by the existing Hilton Hotel entrance ramp, to the southeast by the existing 7-story parking structure and to the southwest by the Hilton Driveway (Gull Street). Because this site is too narrow to accommodate the entire footprint of the new tower, a portion of the tower would cantilever over the existing Hilton Hotel entry ramp and the existing Hotel Parking Facility. A new grand ballroom would be located atop the existing parking structure; at its highest point, the grand ballroom would be approximately 60 feet above the top floor of the existing parking deck. The new hotel facilities would include 500 new rooms, a lobby, approximately 55,000 net square feet of ballroom/meeting space, and other ancillary uses. The lobby for the new guestroom tower would be located at the same level as the lobby within the existing Hilton hotel. The two lobbies would connect via an enclosed bridge over the Hilton Driveway.

The expansion area is currently designated in the PMP for Commercial Recreation, Park/Plaza, and Promenade uses. These uses would be reallocated to accommodate the proposed SDCC and hotel expansion, the rooftop park, and the realignment of Park
Boulevard/Convention Way. The PMP graphics, text, project list, and public access plans for the South Embarcadero and the Convention Center (separate documents), would also be updated to reflect the proposed expansions.

b. Potential Revisions to the PMPA

The Coastal Act does not provide for the addition of suggested modifications to a Port Master Plan Amendment, but only allows for approval or denial. Thus, since the PMPA was deemed complete on July 15, 2013, Commission staff has been working with Port staff to address some of the Coastal Act issues associated with the proposed amendment, described in detail below. Ultimately, these items were not included in the proposed PMPA; however, the following items were discussed as potential revisions to the PMPA.

Language could be added to the PMPA requiring the Port District to include construction of a pedestrian bridge at 4th Avenue connecting to the existing SDCC skywalk on the project list, in order to create a more direct linkage between downtown and the Gaslamp District to the waterfront. This project was included in the project description for the EIR prepared for the PMPA, but ultimately not included in the project due to a lack for funding for the bridge. However, even if funding is not currently available, language could be added to the PMP that would require the Port District to pursue funding for the bridge, but return to the Commission for a PMPA at a time certain if funding and construction of the bridge proves infeasible, to propose alternative means of improving waterfront access and activation of limited public spaces.

The southwest corner of the proposed SDCC expanded building could be pulled back slightly and angled to preserve views of the waterfront from the existing Park Boulevard pedestrian bridge. One suggestion offered by the Port as a minor revision to this side of the building would have resulted in an approximately 5,175 sq.ft. reduction in each of the SDCC levels (ground, 2nd, 3rd, and roof), and would have reduced the impact on views somewhat (see Exhibits #12 and #13).

On the corner of Convention Way and Marina Parkway, at the relocated water transit center, a new 1,900 sq.ft. public plaza could be constructed. Approximately 12 parking spaces at this location could be designated for public parking, in addition to the water transit center parking. The PMPA could be revised to clearly indicate that a continuous public accessway would be created along the waterfront adjacent to the water transit center connecting to the existing promenade around Embarcadero Marina Park South.

The existing “stub” recreational pier at the foot of Park Boulevard could be opened to the public and improved with benches and perimeter railings to create a waterfront destination point.

The landscape mounds that were created when the Hilton hotel was constructed could be removed in order to open up views of the water from Park Boulevard.
As a condition of approval of the coastal development permit for the Hilton expansion, the applicant could be required to develop on or off-site lower cost visitor accommodations, or pay an in-lieu fee to off-set the impact of developing high-end accommodations on public tidelands.

The Park Boulevard corridor could be designed to draw visitors to the waterfront through the use of landscaping, artwork, enhanced concrete paving, pedestrian scale lighting and furnishings. On the Hilton side of Park Boulevard, treatment of the exposed exterior of the parking garage structure and ramp to the hotel could be treated with public area (e.g. mosaics) and/or decorative vertical landscaping to enhance the pedestrian experience between Harbor Drive and the Hilton access route.

As much as 15,000 sq.ft. of visitor-serving uses, such as retail, museum, art gallery, vitrines (glass display cases), or other activating uses, could be located on the southwesterly facing (bayward) façade of the SDCC. Several crosswalks could be designated on Convention Center Way to allow pedestrians to easily access these features from the public promenade.

The amended Convention Center Public Access Program (CCPAP) could be significantly expanded to include specific requirements for street furniture and amenities such as telescopes and benches. The plan could require that a comprehensive, integrated signage and wayfinding program be developed that includes the provision of new and replacement signage directing the public to, around, and over the SDCC, linking downtown with the waterfront, be implemented. Signage could include an acknowledgement that the public amenities associated with the SDCC have been developed as a partnership between the Port, the City, and the Coastal Commission.

A “Public Realm Design Principles and Programming Plan” could be incorporated in the CCPAP to describe and define how public use of the public spaces associated with the SDCC will be developed and improved. Policies requiring that all public improvements be developed prior to or concurrent with the SDCC and Hilton expansions could be added, as well as policies ensuring that public access will be maintained during construction. Limitations on the private use of the SDCC rooftop park and the recreational pier to no more than 15% of the year could be added consistent with the limitations that were placed on the event area associated with the Marriott hotel expansion recently approved by the Commission (PMPA #43).

In September 2013, upon reviewing the existing conditions of the SDCC area with Port staff, Commission staff determined that the “transient oriented” marina of 20-30 yacht slips that was approved through PMPA #31 was not constructed next to the proposed recreational dock in the area designated as Recreational Boat Berthing in the approved PMP Precise Plan. This area contains a cap on the bay bottom covering contaminated sediment, and thus, is not suitable for a marina. Instead, the short-term marina was
constructed next to the former Fifth Avenue Landing Site, where the Spinnaker Hotel was to be located. This area is designated Specialized Berthing, and was intended to be the location of only the approved ferry landing/water taxi docks. Both the transient marina and the water transit center docks were constructed through a single permit for both facilities at the same location. As a recreational small craft marina related facility, the coastal development permit for the marina should have been processed by the Port District as subject to the review and appeal of the Coastal Commission. However, as construction of the marina was incorporated into a single permit associated with the non-appealable ferry landing/water transit center permit, the permit was mistakenly deemed non-appealable. Thus, the Commission was not notified of the project or the incorrect location of the marina.

Thus, the Port should revise the PMPA to include text and map changes identifying the as-built location of the transient marina, and designating the area as Recreational Boat Berthing. The area next to the public recreational dock should revert to the previous designation of Specialized Berthing.

E. **Findings for Consistency with Chapter 3/Chapter 8 of the Coastal Act.** The proposed PMPA would result in changes to the text, project list, graphics, and public access plan for Planning District 3 (Centre City/Embarcadero) of the Port Master Plan. In order for the Commission to certify the PMPA, the Commission must determine that the amendment conforms to the following applicable Chapter 3 and Chapter 8 policies of the Coastal Act.

1. **Visual Quality, Public Access and Public Recreation**

The following Coastal Act policies are relevant and applicable:

**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, [...]

Section 30213

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

Section 30220

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

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 30708

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

(a) Minimize substantial adverse environmental impacts. [...]

(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.

a. Existing Conditions

As an event facility, the SDCC serves both local, regional, and global visitors. According to the project EIR, including non-registered friends and relatives in the event attendee’s travel group, there were an estimated 743,000 SDCC visitors to San Diego. However, the existing 2,000 foot long, multi-story SDCC building also represents a significant physical and visual impediment to the water for the general public, because of its location on the inland side of the first public roadway (Harbor Drive). Thus, while the existing SDCC and Hilton hotel bring large numbers of people to the bayfront, numbers which are expected to continue or increase with the proposed expansion, the Coastal Act concerns center around the impact that this particular design will have on the public’s ability to view, access, and use a significant portion of San Diego’s bayfront and public parkland.

Although all Port District land is publicly owned, the pattern of shoreline development in downtown San Diego’s Embarcadero area over the years bayward of Harbor Drive has created a significant physical and visual barrier between upland areas and the waterfront. The South Embarcadero region is particularly constrained. From the north (second) Hyatt tower south for approximately 2/3 of a mile to the end of the existing SDCC, there is a solid mass of buildings with no views of the water, and only very limited, narrow public accessways in between or over existing buildings.

When the first SDCC expansion was constructed, it required the closure of 5th Avenue at Harbor Drive, which at that time provided direct access to Embarcadero Marina Park South. As a replacement for the loss of this accessway, the expansion included a “skywalk” on the roof of the proposed expansion, consisting of stairs and an inclined elevator on the Harbor Drive side of the building, leading up approximately 70 feet to a lookout area on the top of the structure, with stairs and an elevator on the bay side of the structure to provide access to terraces on the building and the ground level park and promenade. The intent was to provide a grand entryway with art to draw people to the waterfront, and park and the public spaces associated with the SDCC.

Unfortunately, both in design and operation, this has not been successful. The funicular is consistently out of order, and the steep stairs are a significant impediment to access, and are not widely used. There is very little signage publicizing the existence of the park from the Harbor Drive side. The linkage between the SDCC and the City’s popular Gaslamp District is very poor, requiring pedestrians to cross train tracks, trolley tracks, and five lanes of traffic. The artwork installed on the stairs and skywalk that was intended to attract visitors is so inconspicuous as to be essentially invisible, and does not invite people up the stairway. Once on the skywalk, there is no signage directing the public to the terraces on the bayside of the SDCC, or any indication that the public is welcome,
other than a couple of inconspicuous educational plaques. As a result, few people use the skywalk and the terraces are vacant.

The bayside of the existing SDCC is similarly uninviting to the public. On a recent visit to the SDCC, Commission staff found that several of the bayside elevators leading up the skywalk were out of order. There is little signage on the bayside of the SDCC indicating that the stairs are open to the public or where the stairs lead to. The main stairs directly below the skywalk are flanked by SDCC back-of-the-house parking areas explicitly closed to the public, making the area particularly uninviting.

As a result of the first SDCC expansion, the only vehicular access to the bayfront and Embarcadero Marina Park is now Park Boulevard/Convention Way. However, this streetscape is currently uninviting to both public pedestrian and vehicular traffic. Approaching Park Boulevard from Harbor Drive, the landscaped park alongside Harbor Drive is an attractive island of green space and public art, and the viewshed between the existing SDCC and the existing Hilton in this area is reasonably broad and open, but the large decorative concrete pylons adjacent to the SDCC block direct views to the water. Once on Park Boulevard, landscaping mounded next to the Hilton blocks direct views of the water.

There is an existing pedestrian bridge spanning Harbor Drive that connects the inland side of Park Boulevard to the bayward side of Park Boulevard, next to the existing Hilton. This bridge provides an excellent link to the downtown area south of the ballpark, although this area of downtown is not highly developed, and other than the ballpark, consists mostly of large parking areas. Nevertheless, while not a particular active area, this inland location does function as a reservoir for shoreline parking. However, once across Harbor Drive, much the pedestrian experience on Park Boulevard is fairly unappealing. To get to the shoreline from the pedestrian bridge requires walking alongside the side of the multi-story Hilton parking structure, crossing the busy driveway entrance/exit to the Hilton hotel, and walking next to the Hilton requires crossing a busy driveway. Nowhere along Park Boulevard or Convention Way is there signage directing the public to the shoreline or Embarcadero Park, only signage for SDCC parking and loading docks.

On the bayside of Convention Way, the parking lots developed on the location currently designated for retail and meeting space associated with the Spinnaker hotel proposal, are minimally landscaped and often not available for public parking. On the inland side of Convention Way are SDCC loading docks. Both functionally and visually, Convention Way operates mainly as back-of-the-house access for the SDCC, rather than an inviting public accessway to a major public park.

The intersection of Convention Way and Marina Parkway and the entrance to Embarcadero Park, also referred to as the “elbow” area, is designated in the existing plan for a large plaza associated with the Spinnaker hotel, and a bridge over Convention Way
connecting the SDCC to the Spinnaker hotel. However, in its current state, the elbow consists of a large, typically vacant parking lot next to the water that provides neither pedestrian access nor public parking, an unattractive and inefficient use of bayfront land. There is no pedestrian access from the promenade to Embarcadero Park along the water side of this peninsula. The parking lot at the one existing commercial retail structure in the elbow, Joe’s Crab Shack, is underutilized, but is not available to the public even when the restaurant is closed.

The Spinnaker/Hilton redevelopment PMPA resulted in some significant improvements to the public amenities around the SDCC by completing the shoreline promenade, constructing a 5.5 acre waterfront grassy park, a public restroom, and a small amount of publically accessible retail uses alongside the Hilton (although as noted, access alongside the Hilton near Harbor Drive is not particularly pedestrian friendly, and the project created a large landscape mound next to the Hilton that blocks water views). However, because the Spinnaker Hotel and the public and commercial recreation uses associated with the hotel, such as the retail uses alongside the promenade, the plaza at the entry to Embarcadero Park, and the bridge over Convention Way, were never built, these improvements did not resolve the existing serious deficiencies in public access and public facilities.

Under these circumstances, it is particularly critical that all new shoreline development in the North and South Embarcadero regions be sited and designed to restore and enhance the visual quality of the area. Even a relatively small increase in the existing wall of development along the bayfront should be avoided when at all feasible.

b. Proposed Project

Despite all of these obstacles, the demand for waterfront recreation in downtown San Diego is high, and people do manage to reach and use the promenade and Embarcadero Marina Park. The primary goal of any redevelopment of the area must be to address the existing deficiencies in public access and recreation and make this area of the waterfront an accessible, desirable destination for more than just conventioneers and hotel guests. The proposed PMPA has the potential to activate and improve the City’s shoreline if the impacts of the expansion can be limited and amenities and services that will serve the general public are provided. First and foremost, these are public tidelands and they must be preserved and protected in the public interest.

However, as submitted, the proposed amendment, particularly in its originally form, would result in significant adverse impacts on public space and views towards the shoreline compared to the existing certified PMP. The existing plan envisions the SDCC set back approximately 250 feet from the shoreline, (that is, in its current location), with retail, restaurant, and parking located adjacent to the promenade. A new pedestrian bridge would provide access over Convention Way. The width of the shoreline promenade is
required to be between 30 feet and 60 feet, with a 120-foot wide plaza at the corner of Convention Way and Marina Park Way, next to the Spinnaker Hotel.

Under the proposed plan, the promenade would be 35 feet wide. The SDCC would be set back approximately 35 feet from the promenade, with Convention Way relocated bayward between the promenade and the building. Thus, the expanded SDCC building would be only 70 feet from the water’s edge. There would not be a pedestrian bridge over Convention Way.

Locating a 100-foot high, over a 1000-foot long building so close to the waterfront is a significant departure for San Diego County. In addition to the existing SDCC, buildings in the surrounding area include the Hyatt hotel tower, which is set back approximately 275 feet from the water’s edge, the Marriott hotel tower, set back approximately 160 feet, and the Hilton, which is set back only 50 feet, but at its narrowest edge. Pushing the SDCC so close to the water and the promenade will result in the building towering over and dominating the narrow public corridor, making the shoreline feel like the private backyard of the SDCC. It will serve as an additional deterrent rather than induce or invite the public to the water.

In addition, the proposed project would eliminate the existing 5.5 acre waterfront park, and the 1.6 acre landscaped area on Harbor Drive. The PMPA includes construction of a 5 acre park on top of the expanded SDCC. The proposed rooftop park, with the various “rooms” and design features is an appealing feature, but it is not clear that this park will provide an equivalent value to the existing ground level public recreational area the expanded SDCC would remove. As described above, the existing SDCC skyway and terraces receive almost no public use, and it is unlikely that the proposed rooftop park would be any more successful in drawing people up on top of the building. Unlike rooftop parks in some other areas of the country that are highly visible, such as New York’s City High Line park, the SDCC park will be located on the bayward side of the SDCC, and will not be visible from any surrounding inland public streets. Thus, while the roof park would undoubtedly be a pleasant space for private functions associated with the SDCC and Hilton, it would come at the expense of the public waterfront park being removed by the project.

The proposed expansion would also have a significant effect on views towards the shoreline from Harbor Drive. Although the previously described architectural features and landscaping block any ground level water views, there is still a broad, expansive viewshed between the existing SDCC and the Hyatt, and there are currently excellent views of the water from the Park Boulevard pedestrian bridge. The existing distance between the SDCC and the Hilton facilities ranges from 370 feet to 550 feet. As proposed, this view corridor would be substantially narrowed, to approximately 270 feet. The expansion would visually intrude upon and constrain what should be a major public accessway, open and inviting without being hemmed in by structures. The landscape berm would be removed, which could potentially create a water view that does not exist
now, but this berm was never anticipated when Hyatt/Spinnaker PMPA was certified, and there is no functional reason why there could not currently be water views down Park Boulevard. One of the goals of the certified Port Master Plans specifically states the following:

IX. THE PORT DISTRICT WILL INSURE PHYSICAL ACCESS TO THE BAY EXCEPT AS NECESSARY TO PROVIDE FOR THE SAFETY AND SECURITY, OR TO AVOID INTERFERENCE WITH WATERFRONT ACTIVITIES.

- Provide "windows to the water" at frequent and convenient locations around the entire periphery of the bay with public right-of-way, automobile parking and other appropriate facilities.
- Provide access along the waterfront wherever possible with promenades and paths where appropriate, and elimination of unnecessary barricades which extend into the water.

The space between the SDCC and the Hilton is one of few meaningful windows to the water anywhere along the entire span of the South Embarcadero. The significant encroachment into this view shed, without any alternative means of drawing people to this area, would be inconsistent with the mandate of Section 30708 of the Coastal Act that all port-related development shall be located, designed, and constructed so as to provide for beneficial uses consistent with the public trust, including recreational uses, to the extent feasible.

There are feasible alternatives to the proposed expansion that have not been incorporated into the project, or even fully examined. For example, construction of a pedestrian bridge at 4th Avenue was a component of the expansion that was reviewed in the EIR prepared for the PMPA, but ultimately not included in the proposed project due to a lack of funding. As described above, getting to the bayfront from the Gaslamp District requires crossing multiple railways and lanes of traffic at ground level and either going up the steep stairs and over the middle of the building, or walking at least 1,000 feet around the SDCC to the little known “canyon” accessway on the north side of the building, or walking the same distance to the south side of the building and another 1,000 feet down Park Boulevard to the shoreline. Given these obstacles and the lack of wayfinding signage or other objects drawing people to the water, there is currently almost no relationship between upland areas and the coast. A pedestrian bridge at 4th Avenue could drastically improve the connection between the busy downtown area and the shoreline that was essentially eliminated by the first SDCC expansion. In addition to the new wayfinding signage being proposed, a bridge itself provides the best possible announcement of a pedestrian destination, simply through its existence. A pedestrian bridge linking downtown with the SDCC would also create a direct and obvious link to the proposed rooftop park, which, as noted, is unlikely to receive a great deal of public use if it is difficult to get to and not visible from surrounding areas.
However, despite the clear and numerous benefits associated with the pedestrian bridge at 4th Avenue, the Port has indicated that there are currently no funds available to construct it. Preliminary estimates from the Port suggested that the cost of such a facility would be in the vicinity of $42 million dollars. This initial estimate may not ultimately be accurate; the cost of the existing pedestrian bridge located at Park Boulevard constructed in 2011 was originally projected to be $12.8 million dollars, and was ultimately constructed for $26.8 million dollars. That bridge design is unusual as one of the longest self-anchored pedestrian suspension bridges in the world, and it’s unclear why a second pedestrian bridge would necessarily be so much more costly.

However, given that funds to construct a pedestrian bridge at 4th Avenue may not be currently available, the Port could include the pedestrian bridge in the PMPA, and incorporate language into the PMPA that would require that the Port pursue funding for implementation of the bridge over the next few years. If this ultimately proves infeasible, the Port should return to the Commission with a PMPA to remove the bridge from the project list and propose an alternative means of improving public access to the waterfront from upland areas. However, the Port is not willing to incorporate such language into the proposed PMPA.

Other alternatives that could be incorporated into the project include pulling back the southwest corner of the proposed SDCC expansion and angling the building corner to preserve views of the waterfront from the existing Park Boulevard pedestrian bridge. At one point, the Port and the SDCC suggested a minor revision to this corner of the building might be accommodated (see Exhibit #12). This would have resulted in an approximately 5,175 sq.ft. reduction in each of the SDCC levels (ground, 2nd, 3rd, and roof). However, in and of itself, this minor revision in the building would not have sufficiently reduced the adverse impacts of the expansion, and the Port District ultimately decided not to include this revision in the proposed PMPA.

In addition, there may be alternatives that would avoid all of the impacts associated with the on-site SDCC expansion. The Port has consistently maintained that only an expansion of the existing SDCC building can address the center’s demand for exhibit space. Thus, no offsite alternatives were examined in the project EIR. However, the report prepared by AECOM titled “Refined Analysis of Additional Business Capture Derived from a Potential Expansion of the San Diego Convention Center” prepared for the SDCC on November 15, 2010, and the main source of the claim that only a contiguous expansion would be feasible, made the following conclusions regarding the need for contiguous space:

Contiguous space is generally an issue in the industry, but as long as San Diego builds additional exhibit space that is only ½ level up from the existing space as well as open or readily visible from the current trade floor, it does not appear to be a major issue in determining usage of the building in the future. Only one group out of
all of the interviews stated that they would not be able to return to San Diego if the expanded exhibit floor were not on the same level as the current exhibit floor.

Thus, it appears that contiguous exhibit space is not required by the majority of existing or potential SDCC groups. It also suggests that constructing an additional level on the existing SDCC could be a viable alternative. Other parties have offered alternative expansion plans (see Exhibit #17). However, none of these alternatives, either off-site or top of the existing SDCC were analyzed in the EIR.

The on-going pressure to develop new and expanded structures that incrementally encroach upon the remaining public views to the bay is a challenge the Commission and the Port have faced many times on San Diego’s bayfront. Port District staff and Commission staff worked on a number of important revisions and enhancements to the proposed PMPA and the SDCC and Hilton expansions to address the impacts to public access, public recreation, and visual quality (see Project Description). For example, the existing small recreational pier located at the foot of Park Boulevard was originally intended to be expanded for use as a marina. Since the marina was relocated to the northeast, the pier has never been available to the public. This pier could be improved with benches and railings and opened to the public. Additional signage, activating retail uses, improvement pedestrian access to Embarcadero Marina Parkway and improvements to the pedestrian experience on Park Boulevard should all be incorporated in the plan. However, at this time, these revisions have not been offered by the Port.

In summary, the proposed expansion will have significant adverse impacts on public access, public recreation, and views. These impacts could potentially be mitigated by making revisions to the southwest corner of the proposed SDCC expansion, and a commitment by the Port to improve connectivity to downtown and access to the rooftop park through construction of a new pedestrian bridge, or other public access improvements. Improvements to wayfinding and the pedestrian experience on Park Boulevard could also help partially offset impacts from expanding the SDCC closer to the public promenade and narrowing the space between the SDCC and the Hilton, although these measures would not be sufficient in and of themselves.

The Coastal Act does not provide for the addition of suggested modifications to a Port Master Plan Amendment, but only allows for approval or denial. As proposed, the proposed PMPA would authorize development that has not been located, designed, and constructed so as to provide for beneficial uses to public recreation, public access, and visual quality, or to minimize environmental impacts by protecting views to and along the ocean. Therefore, the amendment must be denied.
2. Sea Level Rise, Drainage, and Tsunami Risk

The following Coastal Act policies are relevant and applicable:

Section 30708

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

(b) Minimize substantial adverse environmental impacts. [...] 

(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.

The Convention Center Expansion project proposes to place new development along the San Diego Bay shoreline. The existing convention center is approximately 265 feet inland of the Bay. The new Expansion will be approximately 70 feet from the Bay and will be separated from the Bay by an existing seawall and promenade. The meeting rooms in the Convention Center will be at +32.5’ NGVD; however, retail space and the truck docking area will be lower, at +10’ and +10.5’ NGVD29, respectively.

As required by Section 30708, the proposed development must be located, designed, and constructed so as to minimize environmental impacts, and to provide for other beneficial uses consistent with the public trust, including, but not limited to, recreation and wildlife habitat uses, to the extent feasible. Based on the location of the Convention Center Expansion, there are three flood hazard concerns that need to be considered – flooding from overtopping of the seawall, flooding by backwater in the storm drain, and flooding by a tsunami. The flooding conditions will all be worsened in the future with sea level rise. These issues were not covered in enough detail in the 2012 Final Environmental Impact Report (FEIR). As a result, the applicant was asked to examine the flood concerns associated with sea level rise, and to provide information on options to protect life and/or property from tsunami risk. In addition to information in the FEIR the applicant has provided the material to address these flooding concerns.

- June 3, 2013 letter report from Greg Shields, Project Design Consultants to Ms. Anna Buzaitis, United Port of San Diego

**Seawall overtopping:** The existing seawall ranges in height from 7.38’ to 9.02’ NGVD29. The seawall will be overtopped when the water levels in the Bay exceed these elevations. The amount of overtopping will depend upon the extent of wall that is lower than the water level. As analyzed by Terra Costa Consultants, the range of future “total water level elevation” by 2080 is 6.72 – 9.66 feet, NGVD29. If San Diego Bay experiences the low range of sea level rise by 2080, total water levels without waves, will
be below the height of the existing seawall at all locations. However, if San Diego Bay experiences the moderate or high range of future sea level rise, then water will routinely exceed the seawall height during moderate and high tides. Flooding of the promenade will begin when the water level in the Bay exceeds 7.38’ NGVD29, the lowest part of the seawall. As the water level rises in the Bay, water will flow into the promenade from more sections of the seawall. Thus, for moderate to high sea level rise scenarios, flooding of the promenade area will become a routine condition toward the last third of century (around 2060 and beyond).

Wind waves and boat wake will add to the local water elevation and can cause overtopping of the seawall when the total water level is below the seawall. Waves will add to the flooding concerns when water levels exceed the seawall elevation. As noted by Terra Costa Consultants, storm waves can reach 2 to 3 feet high within the Bay. Also, the Navy operated Sea Tractor Tugs within the Bay. The Convention Center Extension is protected from most of the tug boat wake; however, if the tug veers slightly when it is in front of the Convention Center, the wake at the Convention Center could be about 3 feet high. The concurrence of large wind waves and boat wake was not examined. But, tug activity is likely to be curtailed in the Bay when there are storms, so the most likely combination of wind waves and boat wake that would produce high dynamic water levels would be moderate wind waves and extreme boat wake. Such situations would likely overtop the seawall and cause short-term peaks in flood water depths.

Wind waves and boat wake will add to the situations when total water level (without waves) will overtop the seawall. In general, if San Diego Bay experiences the low range of sea level rise by 2080, wind waves and boat wake will likely overtop the seawall at some or all locations during high tide. If San Diego Bay experiences the moderately high or high range of future sea level rise, then wind waves or boat wake will routinely overtop the seawall during low tide, total water level without waves will routinely exceed the seawall height during high tides and waves or boat wake will add to the flooding. Under any of the projected sea level rise scenarios, the promenade would be flooded occasionally and the lower level development associated with the Convention Center expansion (the retail space and the truck docking area) could also be at risk.

In order to avoid environmental impacts, the proposed development should not add to the seawall for flood protection, but rather should implement programs of sand bag placement for temporary protection of the retail space and truck docking area. If flooding becomes too frequent, the retail space could be abandoned. The retail space could be built now at a higher elevation. Alternatively, the ramp to the rooftop plaza could be elevated now, providing the flexibility to elevate the retail space in the future. The truck docking area might need to install flood barriers and limit deliveries to times when the access and truck areas are not flooded.

**Flooding from the Storm Drain:** A second possible source of flooding to the proposed project is backwater from the storm drain. The storm drain near the Convention Center
Expansion is at about elevation +6.47’ NGVD29. Whenever water levels in the Bay exceed this elevation, the Bay water can back up into the storm drain and flood Convention Way. There will be a small delay between the Bay water level and the inland water level; however, these two water levels will be fairly similar. The promenade area will be flooded whenever the water level in the Bay is higher than the elevation of the storm drain. This situation can be corrected for the short term by installing a one-way valve on the storm drain to prevent backwater. Eventually, the Bay water elevation will not be low enough for a long enough period of time to allow the storm drain system to discharge inland flood waters. This will not occur immediately and it will not be exacerbated by the Convention Center Expansion. However, it will be a problem that will have to be addressed throughout the San Diego storm water program since this will be just one of the many storm drains that will have backwater problems due to rising sea level. However, until this situation is corrected, backwater from the storm drain will be a possible source of flood waters that could threaten the lower levels of development at the Convention Center Expansion.

**Tsunamis:** The proposed Convention Center Expansion will be located in an area subject to tsunami inundation. While the last recorded tsunami resulting in as much as 4 feet of run-up (based on observational information from a 1862 earthquake that caused a submarine slide that was the source of the tsunami), the more recent Pacific Ocean tsunamis (Alaska, Chile and Japan) have caused a maximum water elevation of about 2 feet. The water currents from these long-period waves were quite damaging to boats in the harbor, but the overland flows were insignificant. Nevertheless, tsunamis can be very damaging and potentially fatal events.

The provided analysis acknowledges the potential for tsunami risk and has provided a copy of the Hilton Tsunami Preparedness Plan. Although no preparedness plan has been prepared for the Convention Center Expansion at this time, such a plan should be prepared prior to issuance of coastal development permit for the SDCC, providing information on who will be responsible for the plan, how information will be conveyed to the people using the Convention Center Expansion, employee training efforts, coordination with the local Office of Emergency Services for tsunami warning and response, and any additional information that might be appropriate for a high-volume, visitor serving facility.

**Summary:** The proposed Convention Center Expansion will be in a location that is at risk from flooding due to seawall overtopping, backwater from the storm drain and tsunamis. The risks from first two flooding situations might be minimized by modifications to the project design or modifications to the storm drain system. The tsunami risk cannot be avoided, but can be addressed through a preparedness program that plans for a possible event, develops options for safe notification and evacuation, provides information to employees and visitors to the convention center and coordinates the emergency responders in the San Diego area. These items should be incorporated in the permit conditions for the SDCC and the Hilton. Therefore, the PMPA can be found
consistent with the hazard protection policies of the Coastal Act. The recommendation of denial is based on inconsistency with the public access, public recreation, and visual quality protection policies of Chapter 3 and Chapter 8.

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

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. The Port of San Diego is the lead agency and the responsible agency for purposes of CEQA. In the final EIR the Port identified that even after adopting all feasible mitigation measures, there would be significant unavoidable environmental impacts on the following areas: project-related impacts on Air Quality; Geology and Soils; Greenhouse Gas Emissions; Land Use and Planning; Public Services and Recreation; Transportation, Circulation, and Parking; and Utilities, Service Systems, and Energy; and cumulative impacts on Air Quality; Geology and Soils; Greenhouse Gas Emissions; Land Use and Planning; and Transportation, Circulation, and Parking. The Port determined that specific economic, social, and other benefits of the proposed project outweigh the project’s unavoidable adverse environmental effects. In making this determination, the Port made statements of overriding considerations. For example, the Port identified the following overriding considerations: that the project would increase employment opportunities, create new and improved public access and shoreline enhancements in the Project area, stimulate economic growth for the Port, the City of San Diego, and the overall region and will develop economically feasible land uses in the Project area generate revenue, encourage private sector participation, and permit San Diego’s Convention Center to remain competitive in the convention and meeting business. Therefore, the Port determined that the benefits of the project outweigh its significant environmental impacts, and therefore, such impacts are considered acceptable.

However, the Commission has found that the PMPA cannot be found in conformance with Chapter 3 and Chapter 8 policies of the Coastal Act due to the potential for significant adverse impacts to the environment of the coastal zone, including the potential to result in significant individual or cumulative impacts to sensitive resources, recreation, and the visual quality of the environment of the coastal zone. There are feasible alternatives or feasible mitigation measures available as described above which would substantially lessen any significant adverse effect which the amendment may have on the environment Therefore, the Commission finds that the PMPA is inconsistent with the California Environmental Quality Act.