

**FILE NUMBER: 2025-082**

**DATE:** Tuesday, May 6, 2025

**SUBJECT: Sand Replenishment at Kellogg Beach FY 2025 Project**

**DESCRIPTION:** Resolution 1) Finding the Board Action Exempt Under the California Environmental Quality Act (CEQA), Including Without Limitations CEQA Guidelines Sections 15162 and 15163 and 2) Approving Plans and Specifications and Awarding Contract No. 2024-26 to Montano Pipeline Inc. in the Amount of \$222,000 for the Sand Replenishment at Kellogg Beach FY 2025 Project, as Authorized by the Board in the FY 2025 Major Maintenance Program and Obligated as a Result of Grant Funding Received Pursuant to the Passage of Assembly Bill 3101 in September 1978.

**EXECUTIVE SUMMARY:**

In 1980, the District constructed a rock groin off the foot of Kellogg Street in order to control shoreline erosion and to widen the existing beach in the area. The groin was designed and constructed with the expectation that, although shoreline erosion would be significantly reduced, periodic sand replenishment would be required to maintain the beach.

This project consists of filling the eroded area of Kellogg Beach directly north of the rock groin with approximately 2,200 cubic yards of imported sand. The area of work is situated in an approximate one-half block area between Kellogg Street and Lawrence Street.

**RECOMMENDATION:**

Adopt a resolution approving plans and specifications and awarding Contract No. 2024-26 to Montano Pipeline Inc. in the amount of \$222,000 for the construction of the Sand Replenishment at Kellogg Beach FY 2025 Project, as authorized by the Board in the FY 2025 Major Maintenance Program and obligated as a result of grant funding received pursuant to the passage of assembly bill 3101 in September 1978.

**FISCAL IMPACT:**

There is no fiscal impact caused by the approval of this action.

This Sand Replenishment at Kellogg Beach project: WBS No. ME-0036-01 is included in the FY 2025 Major Maintenance Program allocation. Approval of this agenda item will authorize the expenditure of \$244,000, which is within the overall project budget of \$500,000.

Description	Cost
<b>Construction Contract Award Amount</b>	<b>\$ 222,000</b>
10% Contingency	\$ 22,000
<b>Total Construction Cost</b>	<b>\$ 244,000</b>

## **COMPASS STRATEGIC GOALS:**

This agenda item supports the following Strategic Goal(s).

- A vibrant waterfront destination where residents and visitors converge.
- A Port with a healthy and sustainable bay and its environment.

## **DISCUSSION:**

The goal of this project is to replenish sand at Kellogg Beach. The work includes the placement of natural sand (pre-washed beach or river sand) of approximately 2,200 cubic yards between Kellogg and Lawrence Street (Attachment A). The quantity of sand for replenishment is based on the topography of the shoreline and the allowable volume (2,200 cubic yards) of sand allowed in the Environmental Impact Report (EIR) for the La Playa Beach Restoration (Clerk's Document No.12179).

The shoreline in the La Playa area of Point Loma has experienced a long history of coastal, sand, and sediment projects going back prior to 1980. In order to control excessive shoreline erosion and preserve the existing public beach commonly referred to as "Kellogg Beach," the California Department of Boating and Waterways funded half of the cost, not to exceed \$75,000, to construct a 350-foot rock groin diagonally to the shoreline, along with the placement of sand and rock off the foot of Kellogg Street. This grant funding was authorized by the passage of Assembly Bill 3103 (AB3103) in September 1978. As a condition of receiving the funding, AB3103 requires the District to "assume responsibility thereafter for the operation and maintenance of Kellogg Beach, including future sand replenishment."

A summary of the District's obligation to replenish sand at Kellogg Beach can be found in the Board Memo dated May 30, 2019 (Attachment B).

## **Procurement Details:**

The Contract Documents, including plans SI-2024-02 and Specifications 2024-26, were issued for advertisement on March 12, 2025. On April 10, 2025, six (6) bids were received, ranging from \$222,000.00 to \$398,000.00. The bid amounts are as shown in the table below.

<b>Company</b>	<b>Total Bid for Contract</b>	<b>Location</b>
*Montano Pipeline Inc.	\$222,000.00	Chula Vista, CA
Vet Builders Inc	\$268,830.00	Valley Center, CA
Whillock Contracting	\$289,982.00	La Mesa, CA
Marathon Construction	\$294,993.00	Lakeside, CA
Bert W. Salas, Inc.	\$325,857.00	Santee, CA
A. B. Hashmi, Inc.	\$398,000.00	San Diego, CA

\*Deemed the lowest responsive and responsible bidder.

Based on a review of the bids, the lowest responsive and responsible bid was determined to be submitted by Montano Pipeline Inc. at \$222,222.00. The engineer's construction cost estimate was \$335,000.

Representatives from the District's Procurement Department and Engineering-Construction Department conducted a review of bids. In accordance with the California Public Contract Code Section 10180, Port staff determined the lowest responsive and responsible bid was submitted by Montano Pipeline Inc. in the amount of \$222,000.00. Review of Bid (Attachment C) contains the checklist used for bidding qualifications and informalities.

Staff recommends that the Board approve the plans and specifications and award Contract No. 2024-26 to Montano Pipeline Inc in the amount of \$222,000.00 for the construction of the Sand Replenishment at Kellogg Beach FY 2025 Project.

### **General Counsel's Comments:**

The Office of the General Counsel has reviewed this Staff Report, and the attachments as presented to it, and approves them as to form and legality.

### **Environmental Review:**

The proposed Board action, including without limitation approving plans and specifications and awarding contract No. 2024-26 to Montano Pipeline Inc. in the amount of \$222,000 for the Sand Replenishment at Kellogg Beach FY 2025 Project, was adequately analyzed in the Final Environmental Impact Report (FEIR) for the La Playa Beach Restoration, Shelter Island (UPD#78102-EIR-6; Clerk Document No. 12179) prepared and certified by the District on September 11, 1979 (Resolution No. 79-226). The proposed project is not a separate project for CEQA purposes but is a subsequent discretionary approval related to a previously approved project. (CEQA Guidelines § 15378(c); *Van de Kamps Coalition v. Board of Trustees of Los Angeles Comm. College Dist.* (2012) 206 Cal.App.4th 1036.) Additionally, pursuant to CEQA Guidelines Sections § 15162 and § 15163, and based on the review of the entire record, including without limitation the FEIR, the District finds and recommends that the proposed project does not require further environmental review as: 1) no substantial changes are proposed to the project and no substantial changes have occurred that require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in severity of previously identified significant effects; and 2) no new information of substantial importance has come to light that (a) shows the project will have one or more significant effects not discussed in the previous FEIR, (b) identifies significant impacts more severe than those analyzed in the previous FEIR, (c) shows that mitigation measures or alternatives are now feasible that were identified as infeasible and those mitigation measures or alternatives would reduce significant impacts, and (d) shows mitigation measures or alternatives which are considerably different from those analyzed in the previous FEIR would substantially reduce one or more significant effects on the environment. Because none of these factors have been triggered, pursuant to CEQA Guidelines § 15162(b), the District has determined that no further analysis or environmental documentation is necessary. Accordingly, the proposed Board action is

merely a step-in furtherance of the original project for which environmental review was performed and no supplemental or subsequent CEQA has been triggered, and no further environmental review is required.

The proposed Board action complies with Sections 21, 35, and 87 of the Port Act, which allow the Board to pass resolutions, to do all acts necessary and convenient for the exercise of its powers, and for the use of Tidelands for the establishment, improvement, and conduct of small boat harbors, marinas, aquatic playgrounds, and similar recreational facilities, and for the construction, reconstruction, repair, maintenance, and operation of all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses, including, but not limited to, snack bars, cafes, restaurants, motels, launching ramps, and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways, and landscaped areas. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

The proposed Board action is considered “excluded development” pursuant to Sections 8.a.(10) (Existing Facilities) and 8.d.(3) (Minor Alterations to Land) of the District’s Coastal Development Permit Regulations because the proposed project would consist of sand replenishment and would involve no expansion of use beyond that previously existing and would not involve the removal of mature, scenic trees. A “Coastal Act Categorical Determination of Exclusion” was previously issued for the Project on March 1, 2005; therefore, issuance of a Coastal Development Permit or subsequent Exclusion is not required for the proposed Board action.

#### **Diversity, Equity, and Inclusion Program:**

Due to limited Small Business vendor availability, no SBE goal was established for this opportunity.

#### **PREPARED BY:**

Zeke Coleman  
Capital Project Manager, Engineering-Construction

#### **Attachment(s):**

Attachment A:	Contract Documents
Attachment B:	05-30-2019 Board Memo – Kellogg Beach Update
Attachment C:	Bid Tabulation Report