

San Diego Unified Port District

**CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL**

Project: Planting and Maintenance Activities at Grand Caribe Isle South
Location(s): San Diego, California
Parcel No.(s): 046-006, 046-011
Project No.: 2019-015
Applicant: Brent Eastty, Environmental Conservation, Planning and Green Port, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date: January 29, 2019

Project Description

In coordination with the San Diego Unified Port District (District), the San Diego Audubon Society (SDAS) proposes planting and maintenance activities at Grand Caribe Isle South. In order to improve habitat conditions, the District and SDAS propose to remove non-native vegetation and trash, plant coastal sage scrub, salt marsh plants, and other native plants, and then carry out maintenance activities (watering, weeding, etc.), as needed. An average of up to eight volunteer work parties, hosting approximately 15 volunteers each, would be held annually. The District would be responsible for all required permitting, coordinating any required biological monitoring to assure no active bird nesting is underway prior to work parties, ordering and supplying native plants, supplying water for the initial planting and subsequent irrigation of the new plants, determining and facilitating access for volunteers, and providing a dumpster for disposal of trash and cleared vegetation when needed. This project would further the goals, objectives, and policy recommendations of the District's Integrated Natural Resources Management Plan, which guides planning, management, conservation, restoration, and enhancement of the Bay's natural resources.

The following categorical determinations are based on all project information known to the District as of the date of this determination.

CEQA DETERMINATION

Based upon the above description, the project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities), 15304 (Minor Alterations to Land), 15306, 15307 (Actions by Regulatory Agencies for Protection of Natural Resources) and/or Sections 3.a(12), 3.a(13), 3.d, and 3.g of the District's *Guidelines for Compliance with CEQA* because the project is for planting and maintenance activities. Sections 3.a(12), 3.a(13), 3.d, and 3.g of District's CEQA Guidelines are as follows:

- 3.a. **Existing Facilities (SG § 15301) (Class 1):** Includes operation, repair, maintenance, or minor alteration of existing public and private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:
- (12) Maintenance of existing landscaping, native growth, and water supply reservoirs.
 - (13) Maintenance of wildlife habitat areas, stream flows, springs, waterholes and stream channels to protect wildlife resources.

AND/OR

- 3.d Minor Alterations to Land (SG § 15304) (Class 4): Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees.

AND/OR

- 3.g Actions by Regulatory Agencies for Protection of Natural Resources (SG § 15307) (Class 7): Includes actions taken by regulatory agencies to assure the maintenance, restoration or enhancement of a natural resource where the regulatory process involves procedures for the protection of the environment. Construction activities are not included in this exemption.

The Categorical Exemptions listed above are appropriate for the project because the project is for planting and maintenance activities that would involve no expansion of use beyond that previously existing, would not involve the removal of mature scenic trees, would not result in a serious or major disturbance to an environmental resource, and may include actions taken by regulatory agencies to assure the maintenance and enhancement of a natural resource. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Pursuant to CEQA Guidelines Section 15062, a 35-day statute of limitations for this CEQA exemption shall apply from the date a Notice of Exemption is posted with the San Diego County Clerk, or a 180-day statute of limitations for this CEQA exemption shall apply if no Notice of Exemption is filed. The District has further determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

The project complies with Section 87 of the Port Act, which allows for the establishment and maintenance of tidal and submerged lands for open space, ecological preservation, and habitat restoration. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the project is consistent with the Public Trust Doctrine.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN

The project is for planting and maintenance activities at Grand Caribe Isle South. The project generally conforms with the certified Port Master Plan because it is consistent with and furthers Goals VIII and XI of the Port Master Plan. Goal VIII identifies that the District will enhance and maintain the bay as an attractive physical and biological entity. Goal XI identifies that the District will protect, preserve, and enhance natural resources, including plant and animal life in the Bay as a desirable amenity and ecological necessity, and a valuable and useable resource. Further, activities included under the proposed project would not change the uses of the site where activities may take place, nor would they interrupt or expand the existing conforming uses of the site.

CATEGORICAL DETERMINATION

The above project involves planting and maintenance activities that would involve negligible expansion of use beyond that previously existing, would not involve the removal of mature scenic trees, and would not result in a serious or major disturbance to an environmental resource. This project is consistent with the existing certified land use designations and is Categorically Excluded under Sections 8.a(8), 8.a(13), 8.d, and/or 8.f of the District's *Coastal Development Permit Regulations*, as follows:

8.a. Existing Facilities: The operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing

(8) Maintenance and control of existing vegetation.

(13) Maintenance of wildlife habitat area, fish enhancement structures, streamflows, and stream channels (clearing of debris) to protect fish and wildlife resources.

AND/OR

8.d. Minor Alterations to Land: Minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of mature, scenic trees

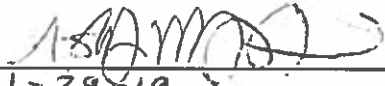
AND/OR

8.f. Inspections: Activities limited to inspection, checking or performance or quality of an operation, examining the health and safety of a project, or related activities.

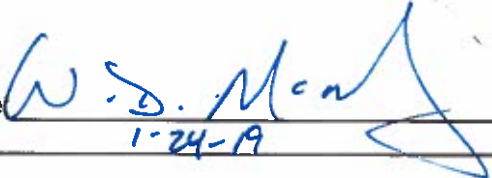
Pursuant to California Coastal Act Section 30717, there is a 10 day working period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

RANDA CONIGLIO
President/CEO

Determination by:
Ashley Wright
Senior Planner
Planning Development

Signature: 
Date: 1-29-19

Deputy General Counsel

Signature: 
Date: 1-24-19