



CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL

Project: Right of Entry to the County of San Diego for Invasive Plant Removal at Chula Vista Bayfront
Location: 900 Bay Boulevard, Chula Vista, CA 91911
Parcel No.: 033-003 and 033-008
Project No.: 2019-073
Applicant: Marko Medved, Director, Department of General Services, County of San Diego, 5560 Overland Avenue, Suite 410, San Diego, California 92123
Date Approved: May 1, 2019

PROJECT DESCRIPTION

The proposed project is a Right of Entry Permit (ROE) to the County of San Diego (Permittee) to enter certain properties located in the city of Chula Vista, California. The area proposed for use under this ROE would be used by the Permittee and their authorized agent(s) and contractors(s) for the purpose of removal of Limonium Duriusculum, a non-native invasive plant species, as well as ingress and egress in support of those activities. No new development, construction, or increase in the size of the area is proposed or authorized as part of the ROE.

It is anticipated that the ROE would have a total term of approximately five (5) years, or upon completion of the work, whichever occurs earlier. The ROE may be terminated by the District as a matter of right and without cause at any time upon providing twenty-four (24) hours' notice in writing to the Permittee of such termination.

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CATEGORICAL DETERMINATION

Categorical Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; and SG §15307, Class 7/Section 3.g: Actions by Regulatory Agencies for Protection of Natural Resources

3.a. Existing Facilities (SG § 15301) (Class 1): Includes 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, 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.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 proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Sections of the District's *Guidelines for Compliance with CEQA* as identified above. These are appropriate for the proposed project because it would involve no expansion of use beyond that previously existing and would not result in a significant cumulative impact due to the continuation of the existing use. 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.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN CONSISTENCY

Planning District: 7 - Chula Vista Bayfront (Precise Plan Figure 19)

Land and Water Use Designations: Industrial Business Park; Habitat Replacement; Open Space; Park/Plaza; Commercial Recreation; Estuary; Wetlands; and Promenade

The proposed project conforms to the certified Port Master Plan because it would involve the renewal of a 5 year ROE to the County of San Diego for removal of Limonium Duriusculum, a non-native invasive plant species, as well as associated ingress and egress, consistent with the existing certified Land and Water use designations.

CATEGORICAL DETERMINATION

The proposed project would renew an existing agreement through issuance of ROE that would not allow for "development" as defined in Section 30106 of the California Coastal Act, or "new development" pursuant to Section 1.a. of the District's Coastal Development Permit Regulations. Therefore, issuance of a Coastal Development Permit or categorical exclusion is not required.


CALIFORNIA PUBLIC TRUST DOCTRINE

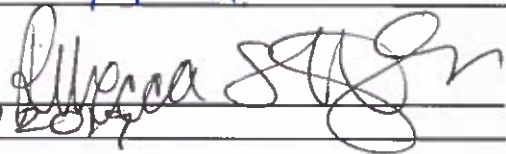
The proposed project complies with Section 87.(a)(7) of the Port Act, which allows for the establishment and maintenance of those lands for open space, ecological preservation, and habitat restoration. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

RANDA CONIGLIO
President/CEO

Determination by:
Cameron McLeod
Assistant Planner
Development Services

Deputy General Counsel

Signature: 
Date: 5/1/2019

Signature: 
Date: 5/1/2019