



CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL

Project: Installation of Public Art by the San Diego Unified Port District at Coronado Tidelands Park
Location: Coronado Tidelands Park, 2000 Mullinex Drive, Coronado, CA 92118
Parcel No.: 057-012
Project No.: 2019-086
Applicant: Allan Tait, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date Approved: May 15, 2019

PROJECT DESCRIPTION

The proposed project would involve the installation of public art by the San Diego Unified Port District (Applicant) in the city of Coronado, California. Work to specifically complete the proposed project would involve installation of a seven-foot (ft)-long by 6-ft-wide by 1-ft-tall concrete pad, and relocation and installation of 'Penelope', a six-ft-long by 6-ft-wide by 6-ft-tall sculpture. The proposed location in Tidelands Park would sit outside of the Third Street view corridor as identified in the certified Port Master Plan (PMP). Construction of the proposed project is anticipated to occur in mid-2019 and would take approximately two days to complete.

Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Applicant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

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/or SG §15304, Class 4/Section 3.d: Minor Alterations to Land

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:

- (3) Interior and exterior remodeling or alterations, involving negligible or no expansion of use beyond that previously existing, including, but not limited to, marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; or mechanical systems and equipment.

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.

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 consist of the installation of public art that would not involve an expansion of use beyond that previously existing or the removal of mature, scenic trees, would have no permanent effects on the environment. 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: 6 - Coronado Bayfront (Precise Plan Figure 17)

Land Use Designation: Park/Plaza

The proposed project conforms to the PMP because it would involve installation of public art, consistent with the existing certified Land use designation. The proposed project location would be outside of the Third Street view corridor as identified in the PMP, and as such would maintain existing views.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; and/or Section 8.d: Minor Alterations to Land

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.

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.

The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because it would consist of installation of public art that would not result in an expansion of use beyond that previously existing or involve the removal of mature, scenic trees.

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

CALIFORNIA PUBLIC TRUST DOCTRINE


The proposed project complies with Section 87.(a)(5) of the Port Act, which allows for the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. 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: 5/15/2019

Signature: 
Date: 5/15/19