



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

Project: Amended and Restated Lease with Bartell Hotels dba Hilton San Diego Airport at Harbor Island
Location: 1960 Harbor Island Drive, San Diego, CA 92101
Parcel No.: 005-007
Project No.: 2020-035
Applicant: Richard Bartell, Bartell Hotels, 2051 Shelter Island Drive, San Diego, CA
Date Approved: April 14, 2020

PROJECT DESCRIPTION

The proposed project is an amended and restated lease to Bartell Hotels dBA Hilton San Diego Airport (Hilton) at Harbor Island for their use of approximately 112,548 square feet (sq ft) of land area and 59,117 sq ft of water area located at 1960 Harbor Island Drive in the City of San Diego, California. The Hilton currently has a 50-year lease with the District for the purpose of a 211-guest room hotel, which currently expires December 31, 2048.

The amended and restated lease would extend the existing lease term by 10 years, changing the new expiration date to December 31, 2058. Other lease terms will also be updated. However, none of the updates would result in any physical improvements or construction. The Hilton would continue to be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, and in all uses thereof, including those regulating stormwater and hazardous materials. No new development, construction, or increase in the size of the property or existing structures, or change or increase the density or intensity of the uses existing on the property is proposed or authorized as part of the amended Lease.

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 Exemption: SG §15301, Class 1/Section 3.a: Existing Facilities

- 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:
4. New and renewed short-term tenancy agreements which do not result in change in the existing use. This exemption does not apply to any new development associated with the activities of the tenant. This exception is also inapplicable if the cumulative impact of continuing the existing use or conditions in the same place, over time, is significant.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section of the District's *Guidelines for Compliance with CEQA* as identified above. This is appropriate for the proposed project because it consists of an extension of an existing lease for a hotel that would involve no new development, construction, or 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: 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9)

Land and Water Use Designations: Commercial Recreation; and Recreational Boat Berthing

The proposed project conforms to the certified Port Master Plan because it consists of an extension of an existing lease for a hotel, consistent with the existing certified Land and Water use designations. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming use of the site.

CATEGORICAL DETERMINATION

The proposed project would renew an existing real estate agreement through extension of an existing lease. The proposed project does 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)(2) of the Port Act, which allows for all visitor-serving commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. 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:
Michael Paul
Assistant Planner
Development Services

Signature: Michael Paul
Date: Oct 12, 2020

Deputy General Counsel

Signature: Chris Burt
Date: Oct 9, 2020