



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

**Project:** Sewer Line Replacement and Intrusive Tree Removal by Sheraton San Diego at Harbor Island  
**Location:** 1590 Harbor Island Drive, San Diego, CA 92101  
**Parcel No.:** 006-001  
**Project No.:** 2021-011  
**Applicant:** Francis Corso, Senior Project Manager, KSL Resorts, 18575 Jamboree Road, Suite 500, Irvine, CA 92612  
**Date Approved:** Mar 24, 2021

**PROJECT DESCRIPTION**

The proposed project would involve replacement of damaged sewer lines and removal of existing trees that have damaged ground-level sewer lines by Sheraton San Diego (Tenant) in the City of San Diego, California. Work to specifically complete the proposed project would involve in-kind replacement of approximately 100 linear feet of cast iron sewer lines, repair of damaged concrete slab, removal of five ornamental (5) Ficus and fourteen (14) palm trees that resulted in sewer line damage, and planting of non-invasive plant species that would not impact the structural integrity of the building. Trees would be replaced at a one to one ratio at another location onsite. Construction of the proposed project is anticipated to occur in Spring 2021 and would take approximately one (1) month 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, significant impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Tenant 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.

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

***CATEGORICAL DETERMINATION***

Categorical Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; and SG §15302, Class 2/Section 3.b: Replacement or Reconstruction

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:

- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

AND/OR

3.b. Replacement or Reconstruction (SG § 15302) (Class 2): Includes replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced.

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 consists of in-kind replacement of damaged pipelines and removal of intrusive trees, would involve no expansion of use beyond that previously existing, would not result in a significant cumulative impact due to the continuation of the existing use, would consist of the replacement of an existing facilities, would be located on the same site as the facilities replaced, and would have substantially the same purpose and capacity. 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 Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve in-kind replacement of damaged pipelines and removal of intrusive trees, consistent with the existing certified Land use designation. 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***

Categorical Exclusions: Section 8.a: Existing Facilities; and Section 8.b: Replacement or Reconstruction

- 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, including but not limited to:
- (2) Public and private utilities used to provide electric power, natural gas, sewer, or other utility services

AND/OR

- 8.b. Replacement or Reconstruction: Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

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 consists of in-kind replacement of damaged pipelines and removal of intrusive trees, would involve no expansion of use beyond that previously existing, would be located essentially on the same site as the structure replaced, and will have substantially the same purpose and capacity as the structure replaced.

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)(4) of the Port Act, which allows For the construction, reconstruction, repair, and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary, or convenient for the promotion and accommodation of any of the uses set forth in this section. 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.

JOE STUYVESANT  
President/CEO

Determination by:  
Michael Paul  
Assistant Planner  
Development Services

Signature: Michael Paul  
Date: Mar 24, 2021

Deputy General Counsel

Signature: Rebecca Harrington  
Date: Mar 24, 2021