



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

Project: Urban Forestry Workforce Development Tree Planting Program by Urban Corps of San Diego County at Cesar Chavez Park

Location: 1449 Cesar E. Chavez Parkway, San Diego, CA 92101

Parcel No.: 021-002

Project No.: 2022-079

Applicant: Lauren Welch, Development Director, Urban Corps of San Diego County, 3127 Jefferson St, San Diego, CA 92110

Date Approved: Nov 7, 2022

PROJECT DESCRIPTION

The proposed project would involve planting twenty (20) trees by the Urban Corps of San Diego County (Applicant) at Cesar Chavez Park in the city of San Diego, California. The AB 617 Portside Environmental Justice Steering Committee (Portside Community) supports the Urban Forestry Workforce Development Tree Planting Program and its partnership with the San Diego Unified Port District (District) to complete the proposed project. Work to be completed would include urban greening and tree planting efforts as identified in the Community Emission Reduction Plan (CERP), which was adopted by the San Diego Air Pollution Control District (APCD) in July 2021 and by the California Air Resources Board (CARB) in October 2021. This program works to reduce exposure to air pollution in disproportionately burdened communities throughout the State, and Barrio Logan was selected as one of ten communities statewide to participate. Planting more trees and increasing shade canopy was identified as a key strategy to improve air quality and reduce the urban heat island effect. The proposed project is the first step in achieving a 35% increase to the overall tree canopy within the Barrio Logan community by 2031.

Work to specifically complete the proposed project would involve planting twenty (20) trees on the outside of the open field area. The existing trees at the park would remain untouched. The locations of the new trees were selected in order to increase shade canopy and provide protection to existing parking infrastructure. The tree species that would be planted as a part of this project include the African Tulip (2), Red-Flowering Gum (5), Weeping Bottle Brush (6), Crape Myrtle (3), and Southern Magnolia (4). The species of trees selected for planting is subject to change due to nursery availability. However, all tree species considered for planting would be non-invasive, drought-tolerant, and compatible with the existing environmental conditions in the San Diego region. All trees would have a 24-inch box size and be planted using standard mechanized tools, such as bobcats and augers.

Construction of the proposed project is anticipated to occur in approximately November/December 2022, and would take approximately one (1) week to complete, with ongoing maintenance as needed. The trees would be planted and maintained during the course of the CalFire grant by members of the Urban Corps of San Diego County. The grant would also pay for all labor, trees, tree planting materials, and associated equipment needed to complete the project. Following the expiration of the grant, the District's Department of Guest Experiences will assume the responsibility of routine maintenance and care for the trees planted as a part of the following project. For three (3) days, there would be approximately 13 parking stalls temporarily impacted to allow for associated work trucks and staging.

The District and the Applicant propose to host a one (1) day media event at Cesar Chavez Park which would occur in the morning between the hours of 9:00 AM and 12:00 PM. The event is to highlight the efforts of the Urban Corps of San Diego County in the Barrio Logan community and provide tree planting demonstrations for event attendees. The parking lot at Cesar Chavez Park would be temporarily closed during the media event to allow for guests, employees from the Urban Corps, and event organizers to park. The parking lot would be reopened promptly following the conclusion of the media event.

The proposed project requires a Right of Entry License Agreement (ROELA) to the Urban Corps of San Diego County (Licensee) to enter certain property located in the city of San Diego, California. The area proposed for use under this ROELA is currently and is proposed to be used only and exclusively for

the purpose of landscaping, provided, however, that no activities or improvements of the Tenant shall interfere with the use and enjoyment of the premises by the general public and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. No increase in the size of the area is proposed or authorized as part of the ROELA.

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

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, including, but not limited to:

- (5) New gardening or landscaping.

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. These are appropriate for the proposed project because it would result in no permanent effects on the environment and would not involve the removal of mature, scenic trees. 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: 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13)

Land Use Designation: Park/Plaza

The proposed project conforms to the certified Port Master Plan because it would involve planting twenty (20) 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 uses of the site.

CATEGORICAL DETERMINATION

Categorical Exclusion: Section 8.d: Minor Alterations to Land

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, including but not limited to:

- (2) New gardening or landscaping.

The proposed project is determined to be Categorically Excluded pursuant to the Section of the District's *Coastal Development Permit Regulations* as identified above. This is appropriate for the proposed project because it involves planting trees that would not 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.

JOE STUYVESANT
President/CEO

Determination by:
Abigail Haynam
Assistant Planner
Development Services

Signature: Abigail Haynam
Date: Nov 7, 2022

Deputy/Assistant General Counsel

Signature: Rebecca Harrington
Date: Nov 7, 2022