



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

Project: Demolition of Suite C6A-AB and Repair of Suite C6-AB by the San Diego Unified Port District at Seaport Village
Location: 849 W Harbor Dr, San Diego, CA 92101
Parcel No.: 018-054
Project No.: 2022-092A
Applicant: Jesus Puebla, Capital Project Manager, Department of Engineering Construction, San Diego Unified Port District, 3165 Pacific Highway San Diego, CA 92101; (619) 686-7208
Date Approved: February 13, 2024

PROJECT DESCRIPTION

The proposed project would involve the demolition of Seaport Village Suite C6A-AB and the repair of Suite C6-AB located on the Eastern side of Seaport Village near Kettner Boulevard by the San Diego Unified Port District (District) in the city of San Diego, California. Suite C6A-AB is an approximately 1,000 square foot wood-frame building that was formerly occupied by Seaport Market. Suite C6-AB is approximately 1,000 square foot wood-frame building and was formerly occupied by The Bay Company. As a result of a fire incident in October 2020, the District proposes the following work to revitalize this area of Seaport Village and address safety concerns. A Coastal Act Categorical Determination of Exclusion was previously issued for the original project (Project No. 2022-092), and the following project description has been updated to incorporate the proposed repairs to Seaport Village Suite C6-AB.

Work to specifically complete the proposed project would involve:

- Removal of all above grade structure, fixtures, finishes, and contents at Suite C6A-AB
- Removal of all above and below grade utilities connecting to Suite C6A-AB
- Removal of the building slab and underlying foundations at Suite C6A-AB
- Asbestos removal at Suite C6A-AB
- Installation of full-depth pavement
- Selective demolition and architectural repairs to Suite C6-AB
- Repair damaged improvements at Suite C6-AB
- Painting and refinishing Suite C6-AB
- Modification of existing utilities connecting to Suite C6-AB

Construction of the proposed project is anticipated to occur in approximately Spring 2024 and would take approximately two (2) months to complete. All existing improvements required to be removed shall become the property of the contractor and be removed and disposed of in accordance with District requirements. The building pad would be improved to match the surrounding area grade and finish. Staging for this project would be in the southeastern portion of the existing parking lot. Approximately four (4) to six (6) parking spaces are required for project staging.

Due to its nature and limited scope, the proposed demolition 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: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with the CEQA Section 3.a: Existing Facilities

- 3.a. Existing Facilities: 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:
- (6) Demolition and removal of individual structures listed in the subsection except where the structures are of historical, archaeological, or architectural significance. These include, but are not limited to, commercial, industrial, airport, or marine terminal structures or facilities if designed for an occupancy load of 30 persons or less, and not in conjunction with the demolition of improvements on an entire site. Examples are warehouses, sheds, miscellaneous work buildings, piers, floats, piles, marine ways, electrical, mechanical, or utility systems, railroad improvements, dilapidated vessels, navigation aids, or similar related structures.
 - (9) Restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment to meet current standards of public health and safety or permit requirements, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.

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. This is appropriate for the proposed project because it would consist of the demolition and repairs to dilapidated structures that would involve no expansion of use beyond that previously existing. 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: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve the demolition of Seaport Village Suite C6A-AB and the repair of Suite C6-AB 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.a: Existing Facilities

- 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:
- (4) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health, safety, District policy, or as required by contractual conditions
 - (9) Demolition and removal of individual small structures, except where structures are of historical, archaeological, or architectural significance

The proposed project is determined to be Categorical 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 would consist of the demolition and repair to dilapidated structures involving no expansion of use beyond that previously existing.

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)(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
Acting President/CEO

Determination by:
Lillian Mattes
Associate Planner
Development Services

Signature: Lillian Mattes
Date: 02/14/2024

Deputy/Assistant General Counsel

Signature: Shiraz D. Tangri
Date: 02/14/2024