



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

Project: Harbor Drive Landscape Improvement Project
Location: North Harbor Drive at Spanish Landing Park (4300 N. Harbor Drive San Diego, CA 92101)
Parcel No.: 004-005 and 005-018
Project No.: 2022-094
Applicant: San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date: Jan 5, 2023

PROJECT DESCRIPTION

The proposed project would involve landscape improvements by the District (Applicant) along the Northwest side of Harbor Island. North Harbor Drive is a heavily trafficked street and the areas adjacent to the street are often the first impression that arriving air travelers to the region receive. On the north side of North Harbor Drive the San Diego International Airport has deployed an updated landscape palette that is inclusive of small and medium sized cobble, boulders and colorful water-wise plants supported by drip irrigation. The District will deploy a similar landscaping approach at Spanish Landing Park adjacent to North Harbor Drive.

The project improvements are located on North Harbor Drive, from the Nimitz Bridge at Spanish Landing Park West to the intersection of North Harbor Drive and Harbor Island Drive. Landscape and irrigation improvements consist of removing existing landscaping and installation of new landscaping material.

The project includes the following components:

- Approximately 171,600 square feet (3.9 acres) of re-vegetation and landscape planting.
- Removal of existing landscape material, including plant material, mulch, cobblestone, boulders, and topsoil within existing landscape areas.
- Installation of new landscaping material and irrigation system within the existing 171,600 square foot landscaped areas, including water wise plants, box trees, bark mulch, rock cobble mulch, cobble stone, small boulders and decomposed granite.
- All plants will be lower water use and native.
- The irrigation system will utilize water conserving heads and drip irrigation equipment.
- The Project irrigation system will be fully automated and controlled by a weather based smart controller.
- A new approximately 500 square foot, 6 feet wide by 81 feet long, concrete walkway will be constructed from the existing sidewalk along North Harbor Drive at Airport Terminal Road from the intersection of the existing crosswalk to the Spanish Landing restroom facility.

- Two monument signs are proposed to be located at Spanish Landing Park West and Spanish Landing Park East with new Port of San Diego Secondary Amenity Identity monument signs.

It is anticipated the construction staging for the proposed work will incorporate 5 areas within the existing Spanish Landing Park parking lot. These five staging areas have a cumulative footprint of approximately 7,385 square feet and will occupy approximately 40 parking spaces for the duration of the project.

The proposed project is anticipated to begin in August 2023 and would take approximately five months to complete, finishing in December 2023. Due to its nature and limited scope, 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 §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures; and SG §15304, Class 4/Section 3.d: Minor Alterations to Land

3.c. New Construction or Conversion of Small Structures (SG § 15303) (Class 3): Includes construction of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and conversion of existing small structures from one use to another with minor modifications to the exterior of the structure. Examples of this exemption include:

(2) Accessory (appurtenant) structures and mechanical equipment including, but not limited to, garages, sheds, railway spur tracks, pilings, temporary trailers, industrial equipment enclosures, fences, parking, on-site roadways, walkways and health and safety devices.

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, 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 Sections 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 and is for the purpose of new construction and landscaping work which would not result in a serious or major disturbance to an environmental resource. 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 Districts: 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9)

Land Use Designations: Park/Plaza,

The project location is within the District's coastal permitting jurisdiction and conform to the certified Port Master Plan because it furthers Planning Goals VIII and IX. Planning Goal VIII identifies that the Port District will enhance and maintain the bay and Tidelands as an attractive physical and biological entity. The new landscaping will contribute to an aesthetically pleasing Tidelands environment. Planning Goal IX identifies that the Port will ensure physical access to the bay except as necessary to provide for the safety and security, or to avoid interference with waterfront activities. The new concrete walkway will provide pedestrian access along the waterfront. Furthermore, the proposed project is consistent with the existing certified Land use designation of Park/Plaza because it is a landscape improvement project. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming uses of the sites.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.c: New Construction or Conversion of Small Structures; and Section 8.d: Minor Alterations to Land

8.c. New Construction or Conversion of Small Structures: Construction and location of limited numbers of new, small facilities or structures and installation of small, new equipment and facilities, involving negligible or no change of existing use of the property, including but not limited to:

(3) Accessory structures, including, but not limited to, on-premise signs, small parking lots, fences, walkways, swimming pools, miscellaneous work buildings, temporary trailers, small accessory piers, minor mooring facilities, buoys, floats, pilings, or similar structures; and seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar structures;

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, including but not limited to:

(2) New gardening or landscaping;

The portion of the proposed project located within the Coastal Development Permit (CDP) jurisdiction of the District 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 not involve the removal of mature, scenic trees and would not result in a serious or major significant disturbance to an environmental resource.

For the portion of the proposed project located outside of the District's CDP jurisdiction, additional approvals may be required from other agencies.

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 and reconstruction of parks, and for all works 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:
Lisa Madsen
Senior Planner
Planning

Signature: Lisa Madsen
Date: Jan 5, 2023

Deputy General Counsel

Signature: Rebecca Harrington
Date: Jan 5, 2023