



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

Project: Replacement of Pine Trees and Landscaping Improvements on West Harbor Island
Location: 1875 Harbor Island Drive, San Diego, California, 92101
Parcel No.: 005-004
Project No.: 2022-103
Applicant: Kurt Brickley, Manager of Operations & Maintenance, Guest Experiences, San Diego Unified Port District, 3165 Pacific Highway, San Diego, California 92101
Date Approved: Dec 7, 2022

PROJECT DESCRIPTION

The proposed project would involve the removal of two (2) existing pine trees and landscaping improvements by the San Diego Unified Port District (District) in the city of San Diego, California. The two (2) existing pine trees are located within the landscaped area in the traffic circle on the western end of Harbor Island Drive. The existing trees are experiencing limb failures due to lion-tailing, which is the condition where growth is concentrated at the end of the limb. The additional weight on the end of the tree limbs results in downward facing growth and ultimately leads to structural stress and breakage. In order to reduce the potential for limbs failing and causing safety risk to cars, the two (2) pine trees would be removed and replaced with one (1) Torrey Pine tree and three (3) Flame Coral trees. The Torrey Pine tree would be a 48-inch box size tree and be consistent with existing Torrey Pines on adjacent tenant leaseholds. The Flame Coral trees would be a 36-inch box size tree and be consistent with the existing Flame Coral trees on Harbor Island. The proposed trees for replanting would be positioned and clustered in a way that improves sight lines to San Diego Bay.

The proposed landscaping improvements would also include the following:

- Add mulch in order to improve the overall health of the soil.
- Add decorative boulders.
- Plant water-wise landscaping with species such as the Red Sensation, Purple Fountain Grass, and variations of Yucca.
- Convert the existing “rotator” based irrigation system to a “drip line” irrigation system.

The proposed project is anticipated to occur in approximately December 2022, and would take approximately 8-10 weeks to complete, with ongoing maintenance as needed. The tree removal work would occur over the course of two (2) days with stump grinding work following several days later, and the associated landscaping improvements would occur simultaneously over the course of the 8-10 weeks. All tree removal and replanting work would occur Monday through Friday and begin no earlier than 8:00 am. Tools and machinery required to complete the proposed project would include chain saws, climbing gear, and chippers. There would be no lane closures as all work and staging would occur within the limits of the traffic circle. The neighboring tenants would be notified prior to the commencement of work and there are no anticipated impacts to tenant operations.

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 District 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 §15301, Class 1/Section 3.a: Existing Facilities and SG §15304, Class

4/Section 3.d: Minor Alterations to Land

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:

(12) Maintenance of existing landscaping, native growth, and water supply reservoirs.

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 involve no expansion of use beyond that previously existing and would result in no permanent effects on the environment. 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: Open Space

The proposed project conforms to the certified Port Master Plan because it would involve the removal of two (2) existing pine trees and landscaping improvements 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 Exclusions: Section 8.a: Existing Facilities and Section 8.d: Minor Alterations to Land

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:

(8) Maintenance and control of existing vegetation

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 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 would involve a negligible 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)(6) of the Port Act, which allows for the establishment, improvement, and conduct of small boat harbors, marinas, aquatic playgrounds, and similar recreational facilities, and for the construction, reconstruction, repair, maintenance, and operation of all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses, including, but not limited to, snack bars, cafes, restaurants, motels, launching ramps, and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways, and landscaped areas. 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:
Lillian Mattes
Assistant Planner
Development Services

Signature: Lillian Mattes
Date: Dec 7, 2022

Deputy/Assistant General Counsel

Signature: Rebecca Harrington
Date: Dec 7, 2022