



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

Project: As-Needed Removal of Canary Island Palm Trees on Shelter Island
Location: Shoreline Park, 2200 Shelter Island Drive, San Diego, CA 92106
Parcel No.: Various
Project No.: 2022-113
Applicant: Ken Wallis, Director of Guest Services, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date Approved: Dec 2, 2022

PROJECT DESCRIPTION

The proposed project would involve the ongoing, as-needed removal of Canary Island Palm trees (palm trees) by the Department of Guest Experiences (District) in the city of San Diego, California. Some of the palm trees located on Shelter Island are currently showing early signs of South American Palm Weevil (Palm Weevil) infestation. The Palm weevil is a large insect that attacks the root structure of the palm tree, ultimately leading to the failure and collapsing of the crown. Once infested, these trees could collapse at any given time, presenting imminent danger to public safety and infrastructure. Once a palm tree is showing signs of infestation, prompt removal is essential to prevent the spread of palm weevil to other healthy palm trees.

Prior to removal of any palm tree, a certified arborist must assess the tree(s) to confirm that: 1) the palm tree(s) is infested with palm weevil and/or diseased; and 2) pose a threat to public safety. The assessment will be documented via a memo with photographic evidence and submitted to Development Services Department for record. All removed trees will be replaced at a one to one ratio. Replacement trees will be native or non-invasive, and drought tolerant.

Work to specifically complete the proposed project would involve as-needed removal of infested palm trees upon confirmation of a certified arborist. Standard equipment such as chainsaws, associated work vehicles, and hand tools would be used for tree removal. A portion of the parking lot would be temporarily closed for equipment staging and to accommodate the removal of the palm trees. Rolling closure and reopening of parking stalls would be implemented to minimize parking stalls used while work is being completed. It is anticipated that approximately twenty to thirty (20-30) parking stalls (equivalent to less than 10% of the total parking stalls) would be temporarily unavailable as each tree is removed. Removal of palm tree(s) would typically occur between the hours of 8:00 am to 2:30 pm. The parking lot would be fully reopened at the end of each workday, and all promenade and coastal access would be maintained at all times.

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 §15301, Class 1/Section 3.a: Existing Facilities

- 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.

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. This is appropriate for the proposed project because it would involve no expansion of use beyond that previously existing and would not result in a significant cumulative impact due to the continuation of the existing use. 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: 1 - Shelter Island/La Playa (Precise Plan Figure 4)

Land Use Designation: Park/Plaza

The proposed project conforms to the certified Port Master Plan because it would involve maintenance of existing landscape 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:

(8) Maintenance and control of existing vegetation

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 would involve negligible or 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)(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: Dec 2, 2022

Deputy/Assistant General Counsel

Signature: Rebecca Harrington
Date: Dec 2, 2022