



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

Project: Sublease to W&W-AFCO Steel for Construction Staging and Laydown at the Dirt Lot
Location: 1380 Harbor Island Drive, San Diego, CA 92101
Parcel No.: 006-003
Project No.: 2023-064
Applicant: David Hipolito, Director of Finance, Sheraton San Diego Hotel & Marina, 1380 Harbor Island Drive, San Diego, CA 92101
Date Approved: 06/14/2023

PROJECT DESCRIPTION

The proposed project is a Sublease to W&W-AFCO Steel (Subleasee) for their use of approximately 13,000 square feet (sq ft) of land area from the Sheraton San Diego Hotel & Marina (Applicant/Tenant) located in the Dirt Lot in the city of San Diego, California. The area proposed for use under this Sublease is currently and is proposed to be used only and exclusively for the purpose of temporary construction staging and equipment laydown area in support of the San Diego County Regional Airport Authority's (SDCRAA) Terminal 1 Improvements Project and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. The Tenant and Subleasee would be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, and in all uses thereof, including those regulating stormwater and hazardous materials. The proposed project would involve the installation of a temporary and portable interlocking fence around the perimeter of the Dirt Lot in order to secure the construction materials and trailers. There would be approximately eight (8) to twelve (12) 48 by 7.5-foot platform trailers stored in the Dirt Lot at a time. Any steel or construction materials stored on-site would be properly tied and secured to the platform trailers. Truck trips are anticipated to occur along Harbor Island Drive, and the Tenant and Subleasee are responsible for coordinating traffic control and notifying the District's Harbor Police Department, as needed. Trucks coming in and out of Harbor Island will follow routes that have been subject to review and approval by the District, and Liberator Way shall not be used for truck staging at any time. There would be approximately 350 truck trips anticipated over the course of eight (8) months, and deliveries and pickups are anticipated to occur between approximately 6:00-9:00 p.m. and/or early in the morning. No increase in the size of the property is proposed or authorized as part of the Sublease.

It is anticipated that the Sublease would have a total term of approximately eight (8) months. The Sublease may be terminated by the District or Tenant as a matter of right and without cause at any time upon providing thirty (30) days' notice in writing to the other party of such termination.

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:

- (4) Existing facilities used to provide electric power, natural gas, sewerage, or other public

utility service.

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 consist of a temporary sublease agreement that 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: 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 a temporary sublease agreement for construction staging 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.

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 a temporary sublease agreement for construction staging that 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)(3) of the Port Act, which allows for the establishment, improvement, and conduct of airport and heliport or aviation facilities, including, but not limited to, approach, takeoff, and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance, and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of air commerce and air navigation.. 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: 06/14/2023

Deputy/Assistant General Counsel

Signature: [Signature]
Date: 06/14/2023