

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

Project: Replacement of Coral Trees at Sheraton San Diego Hotel and Marina  
Location: 1590 Harbor Island Drive, San Diego, CA 92101  
Parcel No.: 006-001 and 006-003  
Project No.: 2023-118  
Applicant: Oliver Krzymowski, Assistant Director of Engineering, KSL Resorts, LLC, 1380 Harbor Island Drive, San Diego, CA 92101; (619) 692-2706  
Date Approved: 03/06/2024

**PROJECT DESCRIPTION**

The proposed project would consist of the removal of coastal coral trees (coral tree) (scientific name, *Erythrina caffra*), tree replacement replanting and additional plantings by Sheraton San Diego Hotel & Marina (Applicant) in the city of San Diego, California. Two (2) coral tree failures occurred in 2023, one resulting in property damage. A tree report was prepared by Monarch Tree Services dated June 2023 indicating that existing coral trees within the Applicant's leasehold could result in imminent failures. The Applicant proposes the removal of 17 coral trees near the sidewalk along Harbor Island Drive since failure in this location could result in severe liability or personal injury due to the potential; for damages to parked vehicles and/or its occupants, or injury to pedestrians passing by.

Work to complete the proposed project involves removing up to 17 existing coral trees and replanting of a minimum of 17 trees, associated staging, work trucks and equipment, and ongoing necessary maintenance. The trees proposed for replacement are anticipated to be the Pink Trumpet Tree, with a minimum box size of 24-inches, but tree species are subject to change due to nursery availability. The tree(s) proposed for replacement may be planted in a different location from where a coral tree was previously removed (see Attachment 1). Factors, such as the location of existing irrigation systems, providing shade for the Applicant's parking lot, and the opportunity to improve sight lines to San Diego Bay, have been considered in deciding the locations for replanting trees. Staging would typically occur near the coral tree removal and tree replanting sites. The proposed project also consists of maintenance and upgrade of existing landscaping to enhance the landscaped beds along Harbor Island Drive, including the installation of 20 15-gallon plants, 60 5-gallon plants, and 40 cubic yards of forest fine mulch.

The following project features shall apply:

1. Tree and plant species proposed for planting shall be drought-tolerant, either native or non-invasive plant species, and would reflect the palette of trees and shrubs which already exist elsewhere on Tidelands.
2. Pedestrian traffic along the Harbor Island Drive sidewalk would be temporarily rerouted during work, and the Applicant shall install proper signage to notify members of the public and surrounding tenants a minimum of 72 hours prior to tree removal, stump grinding, replanting, or additional preparation or clean-up efforts.
3. If the bird breeding and nesting season cannot be avoided and removal must occur between February 15 and September 1 to address safety concerns, a breeding and nesting bird survey shall be conducted prior to tree removal activities. One week prior to tree removal, a qualified biologist or ornithologist shall survey the trees to be removed to detect breeding behavior and/or nests. If an active nest is located, all work within 500 feet of the nest shall be postponed until such nest is vacated and the juveniles have fledged and when there is no attempt of a second nesting.

Due to its nature and limited scope, implementation 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.

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## **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:

(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 consist of removal and replacing trees and maintenance to existing landscaping that would involve a negligible 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: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve the replacement of hazardous coral trees and maintenance to existing landscaping 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 consist of removal and replacing trees and maintenance to existing landscaping that would involve a negligible expansion of use beyond that previously existing and would result in no permanent effects on the environment. The proposed project is necessary for ensuring the safety of those who visit the waterfront.

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.

RANDA CONIGLIO  
Acting President/CEO

Determination by:  
Lillian Mattes  
Associate Planner  
Development Services

Signature: Lillian Mattes  
Date: 03/06/2024

Deputy/Assistant General Counsel

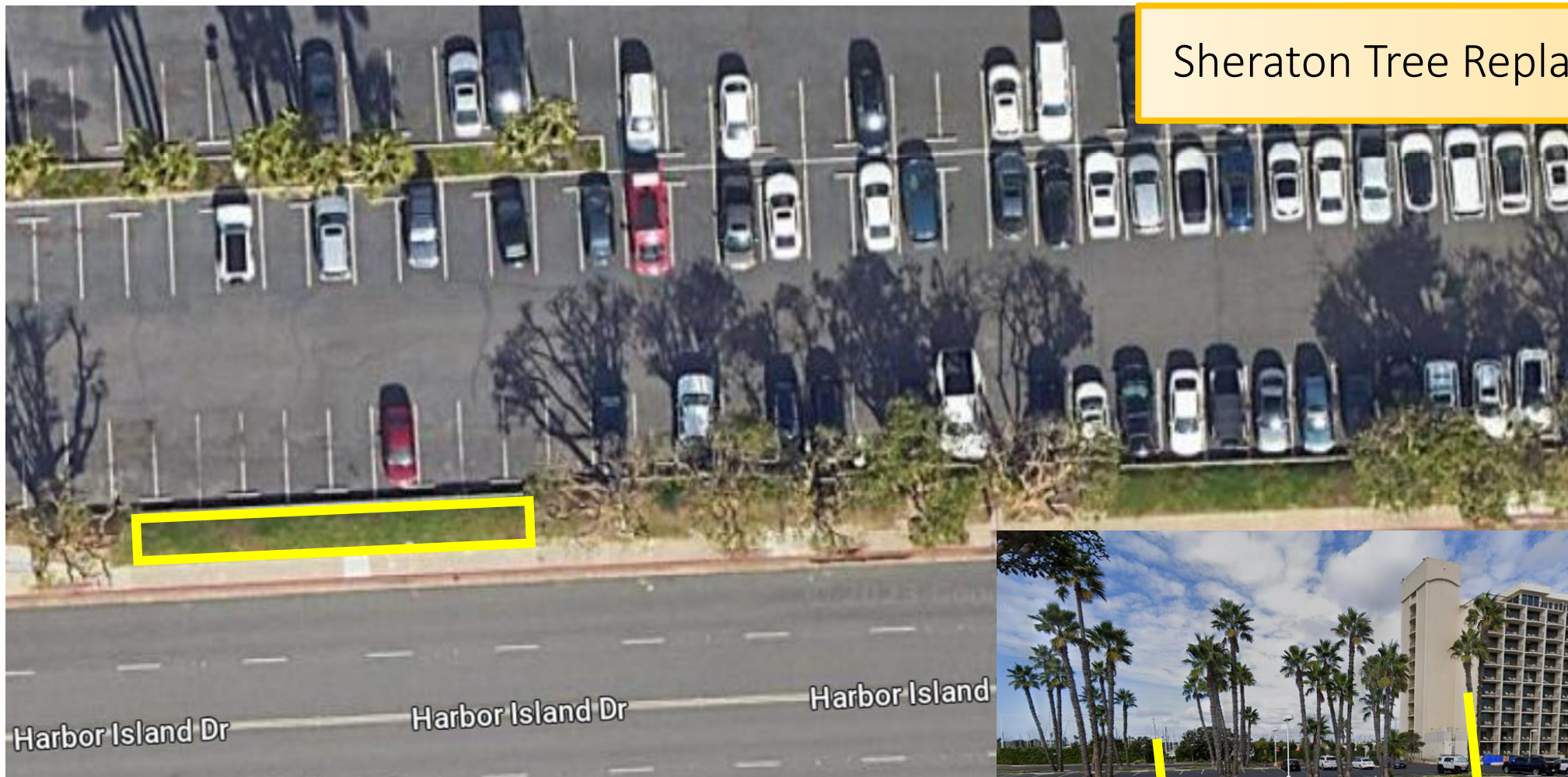
Signature:   
Date: 03/06/2024

Attachment(s):

1. Proposed Replanting Plan

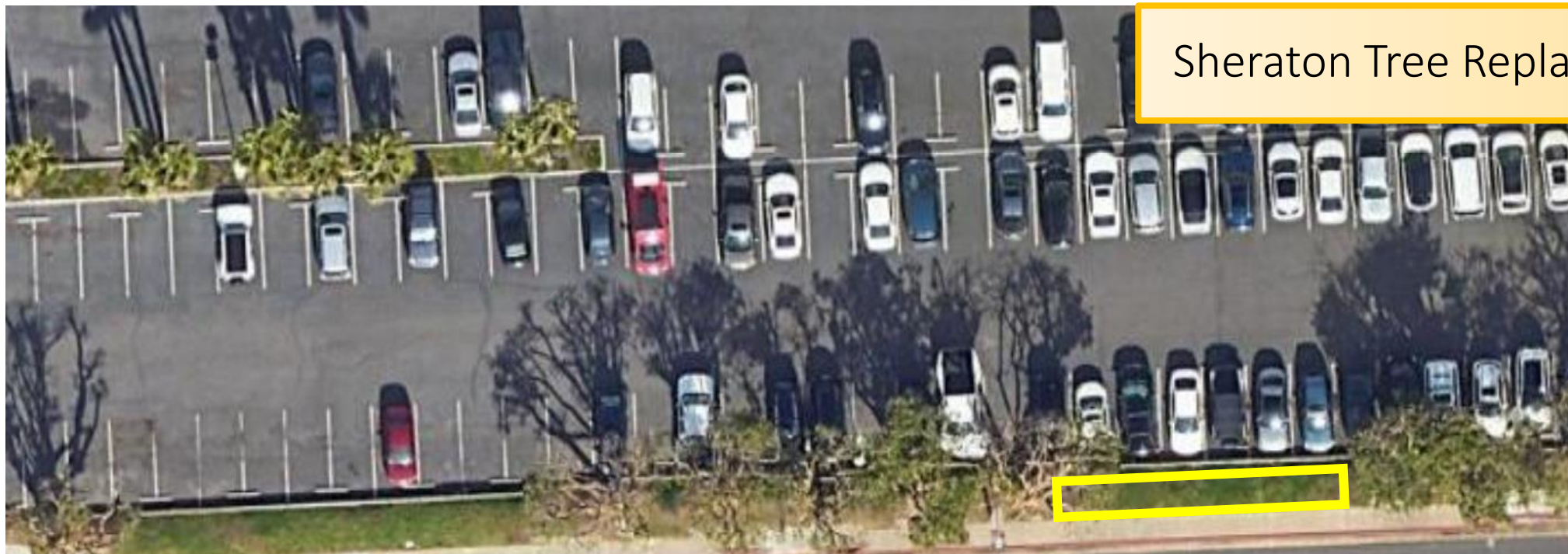
# Sheraton Tree Replacement Locations

## Attachment 1



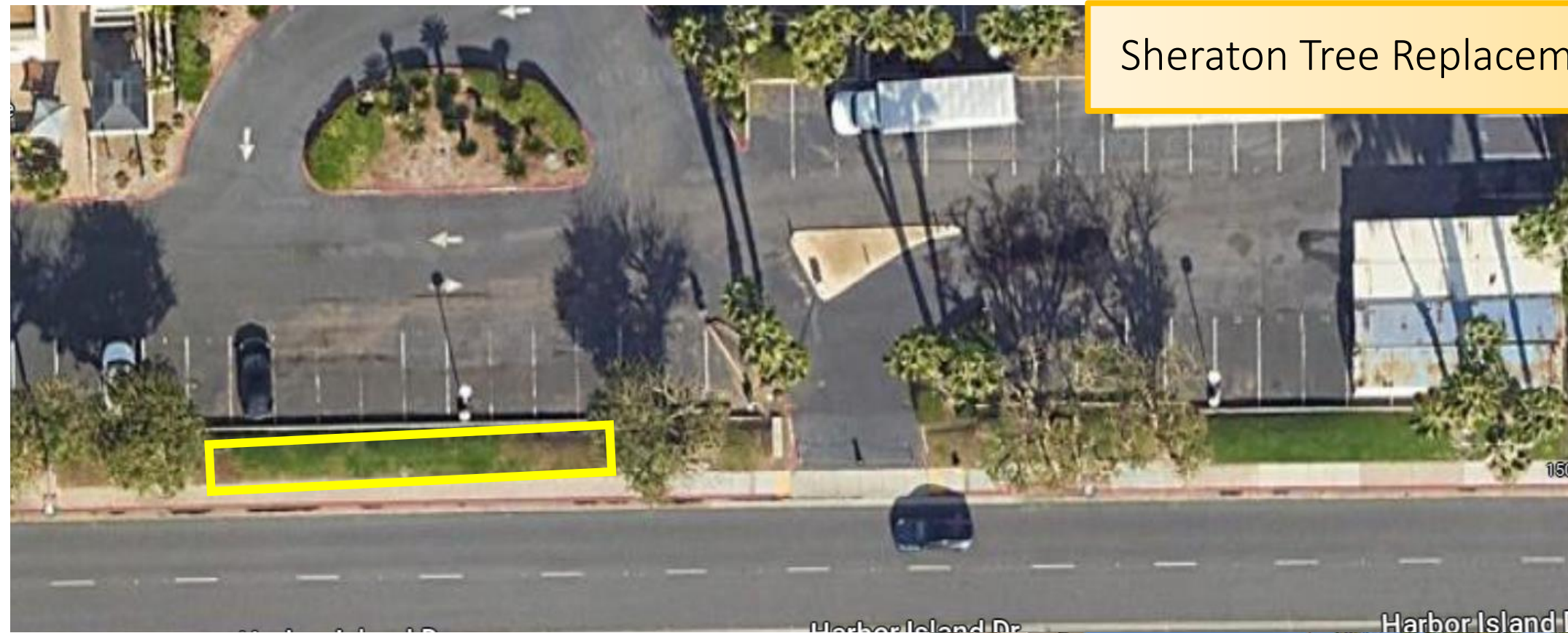


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