



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

Project: Agreement with NatureScape Services, Inc. for Broadway Landing and Paseo Maintenance Services  
Location: San Diego, California 92101  
Parcel No.: Various  
Project No.: 2024-013  
Applicant: Allen Broughton, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101  
Date Approved: April 3, 2024

**PROJECT DESCRIPTION**

The proposed project involves an agreement between San Diego Unified Port District (District) and NatureScape Services, Inc. to provide Broadway Landing and Paseo maintenance services in the Embarcadero. The area of maintenance for Broadway Landing and Paseo includes 1.9 acres along the West side of North Harbor Drive: the front of the Cruise Ship Terminal (including the planters), the surface areas of Broadway Pier, the medians from Harbor Drive to Kettner Blvd. The area provides the public with an integrated transportation hub with public amenities including, but not limited to, comfort stations, drinking fountains, walkways, plazas, public viewing platforms, gardens, transit, and shuttle stops, pavilion structures, kiosk buildings (tickets, information center, and restaurant) and bicycle racks.

The amount of the agreement is not to exceed an aggregate amount of \$2,000,000 for a period of five years, through 2029. Maintenance services include landscaping, graffiti removal, trash and litter removal, hardscape cleaning, window cleaning, roof debris and gutter cleaning, pest management, and light fixture cleaning. Services also include maintenance of signs, pavilion structures, kiosk buildings, comfort stations, tables, chairs, benches, umbrellas, walkways, pavers, paving, irrigation and drainage systems, and wharf railings.

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 Exemptions: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with the CEQA Section 3.a: Existing Facilities and CEQA Guidelines Section 15304 (Class 4)/District Guidelines for Compliance with the CEQA Section 3.d: Minor Alterations to Land

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.

AND/OR

3.d. Minor Alterations to Land: Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees.

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 an agreement for maintenance services for existing facilities in the Embarcadero that would involve no expansion of use beyond that previously existing, would result in no permanent effects on the environment, and would not involve the removal of mature, scenic trees. 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: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designations: Commercial Recreation; Streets and Park/Plaza

The proposed project conforms to the certified Port Master Plan because it is an agreement for maintenance services consistent with the existing certified land use designations. The proposed project would not change the uses of the sites nor would it interrupt or expand the existing conforming uses of the sites.

**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.

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.

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 an agreement for maintenance services for existing facilities in the Embarcadero that would involve no expansion of use beyond that previously existing, would result in no permanent effects on the environment, and would not involve the removal of mature, scenic trees.

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.

RANDA CONIGLIO  
Acting President/CEO

Determination by:  
Lillian Mattes  
Associate Planner  
Development Services

Signature: Lillian Mattes  
Date: 04/05/2024

Deputy/Assistant General Counsel

Signature: [Signature]  
Date: 04/04/2024