



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

Project: Agreement to Atlas Tree Services for Tree Maintenance Services
Location: San Diego, Chula Vista, National City, Imperial Beach and Coronado
Parcel No.: Various
Project No.: 2024-029
Applicant: Kurt Brickley, Manager, Operations and Maintenance, Guest Experiences, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA, 92101, 619-994-2969
Date Approved: 04/04/2024

PROJECT DESCRIPTION

The proposed project involves an agreement between San Diego Unified Port District (District) and Atlas Environmental Services, Inc. dba Atlas Tree Service, a California Corporation (Service Provider), for as-needed tree maintenance services across District Tidelands from approximately July 2024 through June 2029. Services under the agreement would include tree maintenance, inspection, pruning, disease and pest control, palm tree skinning, nest surveys, arborist services, broken branch removal and the disposal of pruning debris. The agreement would authorize tree removal activities that have been previously reviewed and approved by the District. For tree maintenance work near public areas, proper signage and/or barricades shall be installed for the duration of the work.

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 Service Provider 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: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with 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 because it would consist of an agreement for maintenance of existing landscaping that 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 Districts: 1 - Shelter Island/La Playa (Precise Plan Figure 4); 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9); 3 - Centre City Embarcadero (Precise Plan Figure 11); 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13); 5 - National City Bayfront (Precise Plan Figure 15); 6 - Coronado Bayfront (Precise Plan Figure 17); 7 - Chula Vista Bayfront (Precise Plan Figure 19); 8 - Silver Strand South (Precise Plan Figure 21); 9 - South Bay Saltlands (Precise Plan Figure 23); Imperial Beach Oceanfront (Precise Plan Figure 25);

Land Use Designations: Open Space; Park/Plaza; Promenade; Streets

The proposed project conforms to the certified Port Master Plan because it would consist of an agreement for maintenance of existing landscaping consistent with the existing certified Land Use designations. The proposed project would not change the use 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; Section 8.f: Inspections

- 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.f. Inspections: Activities limited to inspection, checking or performance or quality of an operation, examining the health and safety of a project, or related activities.

The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District’s *Coastal Development Permit Regulations* as identified above because it would consist of an agreement for maintenance of existing vegetation that would involve no expansion of use beyond that previously existing and would allow for inspections to examine the health and safety of existing 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:
Justin Huitema
Assistant Planner
Development Services

Signature: Justin Huitema
Date: 04/04/2024

Assistant/Deputy General Counsel

Signature: Shiraz D. Tangri
Date: 04/04/2024