



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

Document No. **76657**Filed **04/25/2024**

Office of the District Clerk

**Project:** Right of Entry to Honor Flight San Diego for Vehicle Parking  
**Location:** Port of San Diego Administration Building Parking Lot, 3165 Pacific Highway, San Diego, CA 92101  
 Port of San Diego Employee Parking Lot, 3172 Pacific Highway, San Diego, CA 92101  
**Parcel No.:** Various  
**Project No.:** 2024-044  
**Applicant:** Julie Brightwell, Chair, Honor Flight San Diego, P.O. Box 181309, Coronado, CA 92178; (614) 264-3369  
**Date Approved:** 04/25/2024

**PROJECT DESCRIPTION**

The proposed project is a Right of Entry (ROE) to Honor Flight San Diego (Applicant) to enter the Port of San Diego Administration Building Parking Lots at 3165 Pacific Highway located in the city of San Diego, California. Parking lot 1 is located south of, the District Administrative Building and Pacific Highway. Parking lot 2 is located adjacent and to the west of the District's Administrative Building. The ROE would allow the Applicant and their authorized agent(s) and contractors(s) to utilize the parking lots for the purpose of public vehicle parking on weekends related to the Honor Flight San Diego Homecoming Event(s) (Homecoming Event(s)), as well as ingress and egress in support of those events. For each Homecoming Event, the Applicant shall submit, in writing, request for District's approval sixty (60) days prior to any event. No new development, construction, or increase in the size of the area is proposed or authorized as part of the ROE.

It is anticipated that the ROE would have a total term of approximately five (5) years. The ROE may be terminated by the District as a matter of right and without cause at any time upon providing twenty-four (24) hours' notice in writing to the Applicant of such termination.

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 CEQA Section 3.a: Existing Facilities and CEQA Guidelines Section 15304 (Class 4)/District Guidelines for Compliance with 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, including, but not limited to:

(6) Minor temporary use of land having negligible or no permanent effects on the environment.

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 a ROE agreement for public vehicle parking on weekends in association with Homecoming Event(s) at existing parking lots and would involve no expansion of use beyond that previously existing, would not result in a significant cumulative impact due to the continuation of the existing use, and would not result in 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: Harbor Services

The portion of the proposed project located within the District’s Coastal Act approval authority (Lot 2) adjacent to the District Administrative Building) conforms to the certified Port Master Plan because it would allow for public vehicle parking on weekends for Homecoming Event(s) at an existing District employee parking lot consistent with the existing Harbor Services Land Use designation. Temporary public parking at Lot 2 would not change the use of the site nor would it interrupt or expand the existing conforming uses of the site as this lot is only used by District employees during weekdays.

Lot 1, located across the street from the District Administrative Building, is within the Coastal Commission’s approval authority.

*CATEGORICAL DETERMINATION*

The District employee parking lot 1 is within the coastal development permitting jurisdiction of the California Coastal Commission (CCC) per state legislation and approval of this portion of the project must be obtained from that agency. As such, on April 9<sup>th</sup>, 2024 CCC staff agreed that the temporary public parking on lot 1 does not constitute ‘development’ as defined in Section 30106 in the Coastal Act and thus the Coastal Act does not apply.

Similarly, for the portion of the project located within the District’s Coastal Act approval authority (parking lot 2), the ROE agreement for temporary use of an existing employee parking lot for public vehicle parking on weekends does not constitute ‘development’ as defined in Section 30106 in the Coastal Act and thus the Coastal Act does not apply.

**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: 04/25/2024

Deputy/Assistant General Counsel

Signature: Shiraz D. Tanjri  
Date: 04/25/2024



### Document History

SignNow E-Signature Audit Log

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