



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

Project: Hilton Bayfront Rooftop Unit Replacement
Location: 1 Park Blvd, San Diego, CA 92101
Parcel No.: 019-050
Project No.: 2024-051
Applicant: Robert Springer, SVP, One Park Boulevard, LLC, 15 Enterprise Suite 200, Aliso Viejo, CA 92656, (949) 382-3003, legal@sunstonehotels.com
Date Approved: 09/04/2024

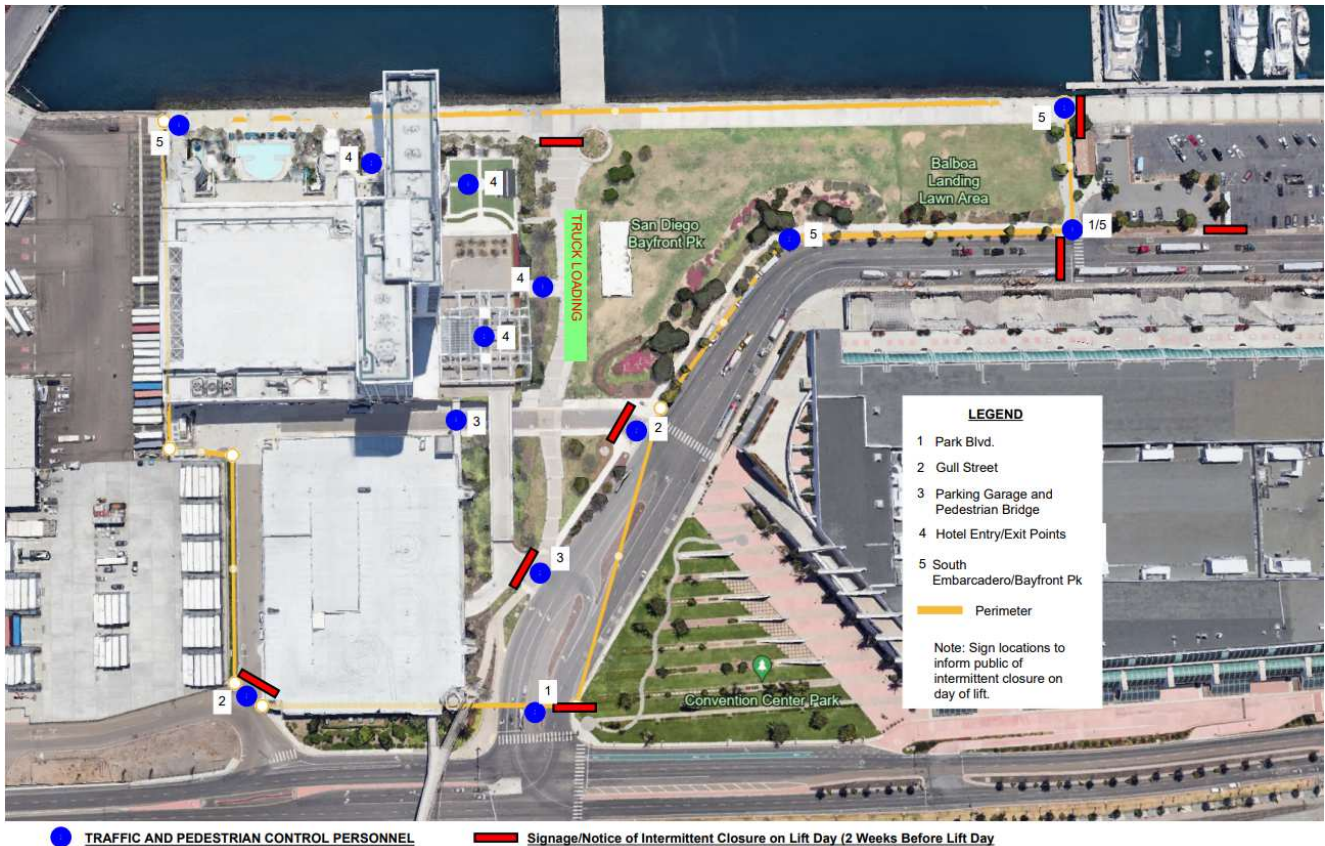
PROJECT DESCRIPTION

The proposed project is for the replacement of two (2) rooftop make-up air units (AH-1 and AH-2) and two (2) rooftop air conditioner units (AC-3 and AC-4) at the Hilton Bayfront Hotel in the City of San Diego, CA. For each of the four replacements, the process would include removal of the existing rooftop unit and all appurtenances, disconnecting, cleaning, and reconnecting existing condensate lines, preparation of a new roof curb to accommodate the installation of the new replacement unit, and installation of the replacement unit. The replacement units would be similar in size and dimensions, would have similar power requirements, and would meet Title 24 Energy Compliance standards.

Prior to the installation of the new units, the contractor would disconnect and set aside the existing units utilizing small, hand-operated gantry cranes (approximately 6 feet tall) and prepare, install, and set the roof curbs for the new units. Removal and replacement of the existing units would be completed mostly with hand tools, but helicopter use would be required to assist in the removal of the old units from the rooftop and to lift the new units into place. The helicopter would make an estimated 4-6 trips up and 4-6 trips down from the roof of the Hilton Bayfront Hotel for the removal of the set-aside units and replacement of the new units.

The proposed temporary helicopter use for this project is permitted by Executive Director Approval under SDUPD Code Section No. 8.02 (b)(2) and the issuance of a Parks and Recreation permit which classifies this helicopter use as a "special event" under the Master Special Events Permit to One Park Boulevard for Temporary Event Programming at Hilton San Diego Bayfront (Project No. 2021-005). San Diego Bayfront Park ("park"), adjacent to the proposed project area, has been identified by the contractor as the staging and storage area, as well as the helicopter landing area during lift activities. Due to the existing light poles, the helicopter is not permitted to land on the top level of the Hilton Bayfront garage or rooftop and all landings are to occur at the park. Due to the project's proximity to public areas, temporary closure of Bayfront Park and a portion of the South Embarcadero promenade would be required for public safety. Closure to the promenade would occur intermittently and only while the helicopter is in flight. Removal of the expired units is expected to take under an hour and would be followed by a window of time where the helicopter would be grounded, and public access would be restored. Closures would resume after preparation for the incoming units is completed and the helicopter operator would proceed with lifting the new units into place via helicopter. Public access would again be restored upon the completion of the lift activities.

Traffic and pedestrian control personnel would be present during the project duration to assist with the intermittent closures and would be located at various locations in and around the proposed project site, including but not limited to, the South Embarcadero Promenade, the sidewalk along Convention Way and Park Boulevard, the entrance to Park Boulevard from Harbor Drive, Gull Street, and numerous locations at the base of the Hilton Bayfront Hotel. Appropriate signage notifying public of the intermittent closures would be posted 2 weeks before the day of the proposed project. Truck staging and loading is to occur along the Park to Bay Link Trail, located directly in front of the Hotel and neighboring Bayfront Park. The specific locations of the traffic and control personnel, truck staging and loading location, and advanced signage locations are outlined in the below attachment.



Construction for the proposed project is estimated to take place approximately late Fall 2024.

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 Exemptions: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with CEQA Section 3.a: Existing Facilities; and CEQA Guidelines Section 15302 (Class 2)/District Guidelines for Compliance with CEQA Section 3.b: Replacement or Reconstruction

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:

- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

AND/OR

3.b. Replacement or Reconstruction: Includes replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section(s) of the District’s *Guidelines for Compliance with CEQA* as identified above. These are

appropriate for the proposed project because the removal and replacement of the expired rooftop units 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 District: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Commercial Recreation; and Park/Plaza

The proposed project conforms to the certified Port Master Plan because it would involve removal and replacement of expired rooftop units which is consistent with the existing certified Land Use designation(s). 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 Exclusions: Section 8.a: Existing Facilities; and Section 8.b: Replacement or Reconstruction

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:

- (2) Public and private utilities used to provide electric power, natural gas, sewer, or other utility services

AND/OR

8.b. Replacement or Reconstruction: Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

- (2) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

The proposed project is determined to be Categorically Excluded pursuant to the Section(s) of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because the removal and replacement of the expired rooftop AC units would involve negligible or no expansion of use beyond that previously existing, would be located on the same site as the structure replaced, and will have substantially the same purpose and capacity as the structure replaced.

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:
Kelly Cunningham
Assistant Planner
Development Services

Signature: *Kelly Cunningham*
Date: 09/04/2024

Assistant/Deputy General Counsel

Signature: *Shiraz D. Tangri*
Date: 09/04/2024