



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

Project: Right of Entry License Agreement to Coronado Cays Homeowners Association for Landscaping Maintenance and Repair  
Location: Portion of landscaped area adjacent to the Coronado Homeowners Association parking lot, Coronado, CA 92118  
Parcel No.: 046-000  
Project No.: 2024-052  
Applicant: Henry Angelino, General Manager, Coronado Cays Homeowners Association, 505 Grand Caribe Causeway, Coronado, CA 92118, (619) 423-4353 ext. 7  
Date Approved: 05/22/2024

**PROJECT DESCRIPTION**

The proposed project is a Right of Entry License Agreement (ROELA) to the Coronado Cays Homeowners Association (HOA) (Licensee) to enter certain property located in the Coronado Cays, adjacent to the HOA parking lot on Grand Caribe Isle-North, in the City of Coronado, California. The area proposed for use under this ROELA would be used by the Licensee and its authorized agent(s) and contractor(s) exclusively for the purpose of landscaping, provided, however, that no activities or improvements of the Tenant shall interfere with the use and enjoyment of the premises by the general public and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. No increase in the size of the area is proposed or authorized as part of the ROELA.

It is anticipated that the ROELA would have a total term of approximately 5 years. The ROELA may be terminated by the District as a matter of right or without cause at any time upon providing twenty-four (24) hours written notice to Licensee of such termination.

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 Licensee 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 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, including but not limited to:

(12) Maintenance of existing landscaping, native growth, and water supply reservoirs.

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:

(5) New gardening or landscaping

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 it would involve a ROELA for maintenance of existing landscaping which would involve negligible or no expansion of use beyond that previously existing 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: 8 - Silver Strand South (Precise Plan Figure 21)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve a ROELA to the Coronado Cays Homeowners Association for 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 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, including but not limited to:

(8) Maintenance and control of existing vegetation

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, including but not limited to:

(2) New gardening or landscaping

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 because it would involve a ROELA for maintenance of existing landscaping which would involve negligible or no expansion of use beyond that previously existing 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:

Kelly Cunningham  
Assistant Planner  
Development Services

Signature: *Kelly Cunningham*  
Date: 05/22/2024

Assistant/Deputy General Counsel

Signature: *Shiraz D. Tangri*  
Date: 05/22/2024