



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

Project: Conifer Tree Replacement at Chula Vista Bayfront Park
Location: Chula Vista Bayfront Park, 980 Marina Way, Chula Vista, CA 91910
Parcel No.: 032-011
Project No.: 2024-080
Applicant: Kurt Brickley, Manager, Operations & Maintenance, Guest Experiences, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101; (619) 686-6378
Date Approved: 11/14/2024

PROJECT DESCRIPTION

The proposed project would involve removing and replacing three (3) Conifer trees at Chula Vista Bayfront Park in the city of Chula Vista, California. Work to complete the proposed project would involve the removal of three (3) existing Canary Island Pine trees due to the trees projecting into travel lanes posing a potential risk to vehicles. Work would also involve replanting two (2) 48-inch box Pinus eldarica trees and one (1) 15-gallon Pinus nigra tree in clusters near existing site furnishings to provide shading opportunities and reduce wind effect tropism. Both tree species proposed for replanting shall be drought-tolerant and/or water wise, non-invasive plant species, and would reflect the palette of trees and shrubs which already exist elsewhere on Tidelands.

The proposed project is anticipated to begin in approximately December 2024, with tree removal operations beginning and concluding on the same day, and with ongoing maintenance as needed. Public access shall be maintained at all times as there would be no lane/path closures or parking spaces affected during removal and replanting activities. Equipment needed to complete the proposed project would consist of a small yard tractor with drill rig attachments. Due to its nature and limited scope, 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 District 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 (SG § 15301) (Class 1): 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. This is appropriate for the proposed project because it would consist of the removal and replanting of trees that would not involve an expansion of use beyond that previously existing. 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: 7 - Chula Vista Bayfront (Precise Plan Figure 19)

Land Use Designation: Park/Plaza

The proposed project conforms to the certified Port Master Plan because it would involve the removal and replanting of trees at Chula Vista Bayfront Park 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 Exclusion: Section 8.a: Existing Facilities

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

The proposed project is determined to be Categorically Excluded pursuant to the Section of the District's *Coastal Development Permit Regulations* as identified above. This is appropriate for the proposed project because it would consist of the removal and replanting of trees that would involve a negligible expansion of use beyond that previously existing.

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:
Betsy Viramontes
Assistant Planner
Development Services

Signature: Betsy Viramontes
Date: 11/14/2024

Deputy General Counsel

Signature: Shiraz D. Tanzi
Date: 11/14/2024