



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

Project: Interior and Exterior Painting at Broadway Pier Port Pavilion
Location: 1000 N Harbor Dr, San Diego, CA 92101
Parcel No.: 018-036
Project No.: 2025-017
Applicant: Hector Arias, Associate Engineer, Engineering-Construction, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101; (619) 821-5585
Date Approved: 3/11/2025

PROJECT DESCRIPTION

The proposed project would involve the maintenance of existing exterior and interior structures at the Broadway Pier Port Pavilion facility by the San Diego Unified Port District (District) in the city of San Diego, California. Work to specifically complete the proposed project would include the maintenance cleaning, repainting and refurbishment of exterior and interior structures and building components at the Broadway Pier Port Pavilion which include highly corroded exterior components such as fixtures, gates and fencing that may need extensive refurbishment or even replacement.

The proposed project is anticipated to begin in approximately May 2025 and would take approximately four (4) months to complete. Equipment used to complete the proposed project would consist of pressure washers, aerial lifts, scissor lifts and a paint sprayer. The staging area would be in the north apron of the pier and in the interior baggage area. The forecourt for passenger pick-up and public restrooms would remain open for public use at all times during construction. Access to the western end of Broadway Pier may be closed periodically while work is being performed, however, the Contractors shall minimize closure of this area to the fullest extent feasible. Signage would be provided to indicate any temporary walkway closures, and phasing of walkway closures would be coordinated with the contractor.

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 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: 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:
 - (1) Repair, maintenance or minor alteration of existing mooring facilities, floats, piers, piles, wharves, bulkhead, revetment, buoys, or similar structures; marine terminal facilities; airport facilities; and commercial industrial, or recreational facilities.

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 facility maintenance 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 District: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Marine Terminal and Park/Plaza, Marine Terminal, Marine Terminal, Marine Terminal, Marine Terminal, Marine Terminal, Marine Terminal, Marine Terminal, Marine Terminal

The proposed project conforms to the certified Port Master Plan because it would involve facility maintenance consistent with the existing certified land use designations. 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:

The proposed project is determined to be Categorically Excluded pursuant to the Section of the District's *Coastal Development Permit Regulations* as identified above because it would consist of facility maintenance that would involve negligible or no 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)(2) of the Port Act, which allows for all visitor serving and commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. 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.

SCOTT CHADWICK
President/CEO

Determination by:
Betsy Viramontes
Assistant Planner
Development Services

Signature: Betsy Viramontes
Date: 3/12/2025

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 3/12/2025