



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

Project: Tidelands Use and Occupancy Permit to Anchorage Lane II, LLC
Location: North Side of Anchorage Lane, West of Canon Street, San Diego, CA 92108
Parcel No.: 002-009
Project No.: 2025-019
Applicant: Anchorage Lane II, LLC, North Side of Anchorage Lane, West of Canon Street, San Diego, CA 92018
Date Approved: 3/3/2025

PROJECT DESCRIPTION

The proposed project is a renewal of a Tideland Use and Occupancy Permit (TUOP) to Anchorage Lane II, LLC (Tenant), for their continued use of approximately 1,215 square feet of tideland area on the north side of Anchorage Lane west of Canon Street, in the city of San Diego, California. The area proposed for use under this TUOP are currently and are proposed to be used only and exclusively for the purpose of subsurface shoring, sidewalks to and from the adjacent town home development, public sidewalk parallel to Anchorage Lane, and for landscaping and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. The Tenant would be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, and in all uses thereof, including those regulating stormwater and hazardous materials. No new development, construction, or increase in the size of the property is proposed or authorized as part of the TUOP.

It is anticipated that the TUOP would have a total term of approximately five (5) years. The TUOP may be terminated by the District or Tenant as a matter of right and without cause at any time upon providing thirty (30) days' notice in writing to the other part 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.

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:
 - (4) New and renewed short-term tenancy agreements which do not result in change in the existing use. This exemption does not apply to any new development associated with the activities of the tenant. This exception is also inapplicable if the cumulative impact of continuing the existing use or conditions in the same place, over time, is significant.

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 a TUOP for subsurface shoring, sidewalks to and from the adjacent town home development, public sidewalk parallel to Anchorage Lane, and for landscaping that would result in no expansion of use beyond that previously existing or a significant cumulative impact due to the continuation of the existing use and would result in no 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: 1 - Shelter Island/La Playa (Precise Plan Figure 4)

Land Use Designation: Streets

The proposed project conforms to the certified Port Master Plan because it would involve subsurface shoring, sidewalks to and from the adjacent town home development, public sidewalk parallel to Anchorage Lane, and 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

The proposed project would renew an existing real estate agreement through issuance of a TUOP. The proposed project does not allow for “development” as defined in Section 30106 of the California Coastal Act, or “new development” pursuant to Section 1.a. of the District’s Coastal Development Permit Regulations. Therefore, issuance of a Coastal Development Permit or categorical exclusion is not required.

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)(4) of the Port Act, which allows for the construction, reconstruction, repair, and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary, or convenient for the promotion and accommodation of any of the uses set forth in this section. 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: 3/3/2025

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 3/3/2025