



CEQA and COASTAL DETERMINATIONS and NOTICE OF APPROVAL

Project: Removal and Replacement of Trees at Embarcadero Marina Park North by San Diego Unified Port District
Location: 1 Embarcadero Marina North, San Diego, CA 92101
Parcel No.: 019-062
Project No.: 2025-094
Applicant: Kurt Brickley, Manager, Operations and Maintenance at San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101, 619-686-6378
Date Approved: 8/12/2025

PROJECT DESCRIPTION

The proposed project would involve the removal and replacement of three (3) Melaleuca trees by the San Diego Unified Port District (District) in the city of San Diego, California. The three (3) trees are located south of the public restroom at Embarcadero Marina Park North (EMP) along the waterfront. Work would also involve replacing the Melaleuca trees with three (3) replacement trees of similar nature to be planted at more suitable locations within EMP.

The District and/or the District's landscape service providers would remove the three (3) trees in approximately Fall of 2025 using a truck, chipper, stump grinder, hand tools, and associated tree removal equipment. The tree removal operations would begin and conclude on the same day. Within 60 days following tree removals, the stumps would be grinded down, which takes approximately half a day of work. Tree replacement would be completed by the Winter of 2025 with ongoing maintenance as needed. Work hours for the proposed project would be Monday-Friday from approximately 7am-3:30pm. There are no anticipated impacts to parking stalls nor anticipated street closures for the proposed project. However, there are partial closures anticipated for the waterfront promenade during tree removal activities, so the work crew would direct pedestrians safely around the work site. There would be no full closures of the promenade at any point of the proposed project.

The replacement tree species would be drought-tolerant and/or water wise, non-invasive tree species, and would reflect the palette of trees and shrubs which already exist elsewhere on Tidelands.

The District would conduct all tree removals outside of the migratory bird breeding and nesting season, and no removal work would occur between February 15 and September 1. 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 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 (SG § 15304) (Class 4):** 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 Categorical Exempt pursuant to the CEQA Guidelines and the Sections of the District's *Guidelines for Compliance with CEQA* as identified above because it would consist of the removal and replacement of three (3) trees and the associated tree maintenance that would involve no expansion of use beyond that previously existing, would not involve the removal of mature, scenic trees, 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: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Park/Plaza

The proposed project conforms to the certified Port Master Plan because it would involve the removal and replacement of three (3) trees and associated tree maintenance 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 Categorical Excluded pursuant to the Sections 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 replacing of trees and associated tree maintenance that would involve no expansion of use beyond that previously existing, would not involve the removal of mature, scenic trees, and would result in no permanent effects on the environment.

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.

SCOTT CHADWICK
President/CEO

Determination by:
Justin Huitema
Assistant Planner
Development Services

Signature: Justin Huitema
Date: 8/12/2025

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 8/12/2025