PORT of SAN DIEGO
Waterfront of Opportunity

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

Project: Tideland Use and Occupancy Permit to Maritime Museum Association of San Diego for Temporary Food Truck Use
Location: 1492 North Harbor Drive, San Diego, CA 92101
Parcel No.: 017-046
Project No.: 2025-107A
Applicant: Maritime Museum Association of San Diego, 1492 North Harbor Drive, San Diego, CA 92101
Date Approved: 2/11/2026

PROJECT DESCRIPTION

The proposed project is a new Tideland Use and Occupancy Permit (TUOP) to the San Diego Maritime Museum of San Diego (Tenant) for the temporary food truck use within parking spaces at 1492 North Harbor Drive that are currently used by Tenant under a separate TUOP (Project No. 2020-040A) for use of seven (7) reserved parking spaces in the Port of San Diego public parking lot on North Harbor Drive. Under this TUOP, the area proposed for use will be used only and exclusively for the purpose of a temporary food truck use [except for the parking use that is permitted for the same seven (7) parking spaces under a separate TUOP], for up to a twelve (12) month term (an original six month term, and one option to extend for another six months), commencing on May 1, 2026, and for no other purpose whatsoever without the prior written consent of the Executive Director of the District.

The TUOP would allow the Tenant to operate the temporary food truck on Saturdays, Sundays, and all local, state, and federal holidays between the hours of 10:00 a.m. and 5:00 p.m. for the term of the TUOP. From time to time, the Tenant may adjust the hours of operation upon 24 hours' notice to the District. The TUOP requires the Tenant to make available, and provide clear directional signage for, a designated dining area on the *Berkeley* for use by food truck customers without paid admission to the Maritime Museum. The TUOP also requires all food truck signage and equipment, and food truck customer queueing, to take place within the TUOP premises and not in the public parking or public promenade. The TUOP requires the Tenant to maintain the premises in clean condition, providing appropriate trash receptacles (within the TUOP area), cleaning up any spilled foods.

The Tenant will 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. The TUOP may be terminated by Executive Director of District or their duly authorized representative or Tenant as a matter of right and without cause at any time upon the giving of 30 days' notice in writing to the other party 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 15304 (Class 4)/District Guidelines for Compliance with CEQA Section 3.d: Minor Alterations to Land.

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:

(6) Minor temporary use of land having negligible or no permanent effects on the environment.

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 is a temporary use that would not involve the removal of mature, scenic trees, and would not have any 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 a temporary use that would draw the public to the San Diego Bay thereby encouraging recreational opportunities and promoting public access along the waterfront.

CATEGORICAL DETERMINATION

Categorical Exclusion: Section 8.d: Minor Alterations to Land

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:

(5) Minor temporary uses of land and water having negligible or no permanent effects on the environment, including festivals, boating activities, parades, and running or bicycling events.

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 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)(2) of the Port Act, which allows for all visitor-serving commercial and industrial uses and purposes. 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:
Anna Buzaitis   Signature: *Anna Buzaitis*
Deputy Director, Planning   Date: 2/11/2026
Planning Department

Assistant/Deputy General Counsel   Signature: *Rebecca Harrington*
                                                 Date: 2/10/2026