

**San Diego Unified Port District**

**CEQA and COASTAL DETERMINATION  
and  
NOTICE OF APPROVAL**

Project: Restoration and Removal of Tennis Courts by Marriott Marquis at the San Diego Convention Center  
Location(s): Northern Rooftop of the San Diego Convention Center Building, 111 West Harbor Drive, San Diego, CA 92101  
Parcel No.(s): 019-003  
Project No.: 2018-031  
Applicant: Gerald McHugh, Director of Engineering, Marriott Marquis San Diego Marina, 333 West Harbor Drive, San Diego, CA 92101  
Date Approved: April 4, 2018

Project Description

The proposed project involves the restoration of three existing tennis courts and the removal of three existing tennis courts on the rooftop of the San Diego Convention Center (Convention Center) located at 111 West Harbor Drive in the city of San Diego, California. The three tennis courts located on the eastern side of the rooftop would be restored to the same size and shape as the existing courts and the existing lighting would be repaired. The three tennis courts located on the western side (Bayside) of the rooftop would be removed and the surface would be primed and painted consistent with the existing rooftop.

All proposed work would be conducted by a work crew on the Convention Center rooftop, which is a part of the leasehold the Marriott Marquis San Diego Marina (Marriott) currently holds with the District at 333 West Harbor Drive. All proposed work would take approximately six months to complete. Once operational, the three newly restored tennis courts would be opened to Marriott guests and members of the general public.

Due to its limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would therefore not result in any significant impacts including, but not limited to, air quality, greenhouse gas emissions, noise, or transportation and traffic. Furthermore, the project applicant would be responsible for complying with all applicable federal, state, and local laws regulating stormwater and construction demolition debris recycling.

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.

**CEQA DETERMINATION**

Based upon the above description, the project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities), and/or 15302 (Replacement and Reconstruction) and Sections 3.a (3), 3.a (6), and/or 3.b (2) of the *District's Guidelines for Compliance with CEQA* because the project involves the restoration of existing recreational facilities that would involve no expansion of use beyond that previously existing and would be located same site as the existing facilities, and the removal of recreational facilities that have no historical or architectural significance. Sections 3.a (3), 3.a (6), and 3.b (2) of the District's CEQA Guidelines are as follows:

- 3.a. Existing Facilities (SG 15301) (Class 1): Includes operation, repair, maintenance, or minor alteration of existing public and private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

- (3) Interior and exterior remodeling or alterations, involving negligible or no expansion of use beyond that previously existing, including, but not limited to, marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities.
- (6) Demolition and removal of individual structures listed in the subsection except where the structures are of historical, archaeological, or architectural significance. These include, but are not limited to, commercial, industrial, airport or marine terminal structures or facilities if designed for an occupancy load of 30 persons or less, and not in conjunction with the demolition of improvements on an entire site. Examples are warehouses, sheds, miscellaneous work buildings, piers, floats, piles, marine ways, electrical, mechanical, or utility systems, railroad improvements, dilapidated vessels, navigation aids, or similar related structures.

AND/OR

3.b Replacement or Reconstruction Structures (SG 15302) (Class 2): Includes replacement or reconstruction of existing of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced. This exemption includes, but is not limited to:

- (2) Replacement or reconstruction of marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, piles, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; electrical and mechanical systems and equipment; where the new structure will be on essentially the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

The Categorical Exemptions listed above are appropriate for the proposed project because it involves the restoration of existing recreational facilities on the same site as the existing facility and with no expansion of use beyond that previously existing, and the removal of recreational facilities that have no historical or architectural significance. 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.

The proposed project complies with Section 87 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, building facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses.

## **CALIFORNIA COASTAL ACT**

### **PORT MASTER PLAN**

The proposed project located in Planning District 3, Centre City Embarcadero, which is delineated on Precise Plan Map Figure 11 of the certified Port Master Plan. The Port Master Plan land use designation within the limits of the proposed project is Commercial Recreation. The proposed project conforms to the certified Port Master Plan because the proposed project involves the restoration of an existing recreational facility that is ancillary to a commercial use and would be consistent with the existing land use designation. The proposed project would not change the use of the site and would not expand the existing use of the

site.

**CATEGORICAL DETERMINATION**

The proposed project involves the restoration of recreational facilities on the same site as the existing facility and with no expansion of use beyond that previously existing, and the removal of recreational facilities that have no historical or architectural significance. The proposed project would involve no expansion of use beyond that previously existing, would have substantially the same purpose and capacity as the existing use. The proposed project is consistent with the existing certified land use designation and is Categorical Excluded under Section 8.a.(4), 8.a (9) and 8.b (1) of the Districts Coastal Development Permit Regulations:

- 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:
  - (4) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health, safety, District policy, or as required by contractual conditions.
  - (9) Demolition and removal of individual small structures, except where structures are of historical, archeological, or architectural significance.


AND/OR

- 8.b. Replacement and Reconstruction: Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:
  - (1) Replacement of a commercial structure with a new structure of substantially the same size, purpose and capacity.


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.

RANDA J. CONIGLIO  
President/CEO

Determination by:  
Cameron McLeod  
Assistant Planner  
Development Services

Signature:   
Date: 4/4/10.

Deputy General Counsel

Signature:   
Date: 4-4-10