

San Diego Unified Port District

CEQA and COASTAL DETERMINATIONS and NOTICE OF APPROVAL

Project: Naval Base of San Diego 19th St. Gas Line Replacement
Location(s): W. 19th Street & Tidelands Avenue, National City, CA
Parcel No.(s): 026-040
Project No.: 2017-160
Applicant: John Thur, S & R Construction, 2424 Congress Avenue, San Diego, CA 92110
Date Approved: November 30, 2017

Project Description

The proposed project involves two Right of Entry License Agreements (ROELA). A ROELA with the United States Navy, authorizing access onto the Port District's jurisdiction to install a new 415 foot long (403 feet within the Port's jurisdiction) subsurface gas pipeline connecting from the existing main gas line within Tidelands Avenue to Naval Base of San Diego. The second ROELA is with San Diego Gas & Electric Company for removal of the existing subsurface gas line, and the installation and transmission of gas. The new gas service will be located within the existing W. 19th Street right-of-way. More specifically, the work will include:

- Saw cut and removal of the AC pavement (18 inches x 403 feet)
- Trench, shore, and compact bed (trench size is 18 inches x 36 inches x 403 feet = 70 cubic yards)
- Export 70 cubic yards of sand slurry and import 70 cubic yards of sand slurry
- Repair the AC pavement to match the existing pavement upon completion
- Repair the traffic loop
- Repair, grade and pour the master meter concrete pad (10 feet x 20 feet x 6 inches)

Construction for the project is anticipated to last approximately eight weeks. Due to its limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would therefore not result in significant impacts including, but not limited to, air quality, greenhouse gas emission, noise, nor transportation and traffic. Furthermore, the applicant would be responsible for complying with all applicable federal, state, and local laws regulating construction demolition debris, noise, and storm water.

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 on the above description, the project is determined to be Categorically Exempt pursuant to CEQA Guidelines Section 15282(k) (Other Statutory Exemptions) because CEQA does not apply to any project of less than one mile in length within a public street or highway or other public right-of-way for the installation of new pipeline or maintenance, repair, restoration, removal, or demolition of an existing pipeline as set forth in Section 21080.21 of the Public Resources Code, as long as the project does not exceed one mile in length. The project meets the requirements of California Public Resources Code Section 21080.21, which reads as follows:

- (a) This division does not apply to any project of less than one mile in length within a public street or highway or any other public right-of-way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or

demolition of an existing pipeline.

- (b) For purposes of this section, pipeline means subsurface pipelines and subsurface and surface accessories or appurtenances to a pipeline, such as mains, traps, vents, cables, conduits, vaults, valves, flanges, manholes, and meters.
- (c) In determining the applicability of the exemption provided by this section to a natural gas pipelines safety enhancement activity under review by a resource agency, the resource agency shall consider only the length of pipeline that is within its legal jurisdiction.

The proposed project is also consistent with Section 3.c(3) of the District's *Guidelines for Compliance with CEQA* because it involves improvements that would involve negligible expansion of use beyond that previously existing and would not have any permanent effects on the environment. Section 3.c(3) of the District's CEQA Guidelines is as follows:

3.c. New Construction or Conversion of Small Structures (SG § 15303) (Class 3): Includes limited numbers of new small facilities or structures; installation of small new equipment and facilities in small structures; and conversion of existing small structures from one use to another with minor modifications to the exterior of the structure. Examples of this exemption include:

- (3) Water, sewer, electrical, gas, telephone, and other utility structures or facilities.

The Categorical Exemption discussed above is appropriate for the proposed project because it involves a new pipeline that is less than one mile in length and would not involve negligible expansion of use beyond that previously existing and would not have any permanent effects on the environment.

The proposed project complies with Section 87(a)(4) of the Port Act, which allows for the construction, reconstruction, repair, and maintenance, of highways, street, 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, 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.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN

The proposed project is located in Planning District 5, National City Bayfront, which is delineated on Precise Plan Map Figure 15 of the certified Port Master Plan. The project conforms to the certified Port Master Plan because it involves construction of a gas pipeline within an existing public right-of-way (W. 19th St.). The project would not change the use of the site nor would it interrupt or expand the existing conforming use of the site.

CATEGORICAL DETERMINATION

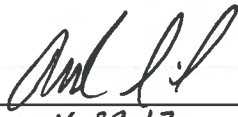
The proposed project consists of the installation of a new pipeline that would involve negligible expansion of use beyond that previously existing and would not have any permanent effects on the environment. This project is consistent with the existing certified land use designation and is Categorically Excluded under Section 8.c (2) of the District's *Coastal Development Permit Regulations*, as follows:

8.c New Construction or Conversion of Small Structures: Construction and location of limited numbers of new, small facilities or structures and installation of small, new equipment and facilities, involving negligible or no change of existing use of the property, including but not limited to:

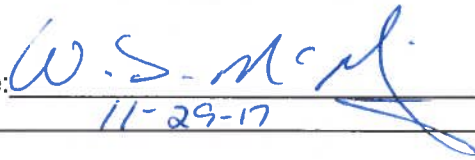
- (2) Water main, sewer, electrical, gas, or other utility extensions of reasonable length to serve such construction.

RANDA CONIGLIO
President/CEO

Determination by:
Austin Silva
Associate Planner
Development Services – Real Estate Development

Signature: 
Date: 11-29-17

Deputy General Counsel

Signature: 
Date: 11-29-17