

San Diego Unified Port District

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

Project: Right of Entry License Agreement to the San Diego County Sheriff's Department for Security Camera Maintenance at Imperial Beach Pier
Location(s): 910 Seacoast Drive, Imperial Beach, California 91932
Parcel No.(s): 061-007
Project No.: 2017-182
Applicant: San Diego County Sheriff's Department, 9621 Ridgehaven Ct, San Diego, CA 92123
Date Approved: November 14, 2017

Project Description

The proposed project is a Right of Entry License Agreement (ROELA) to the San Diego County Sheriff's Department (Licensee) for the maintenance of an existing security camera on the Imperial Beach Pier in the City of Imperial Beach, California. The proposed project would allow for the maintenance of an existing security camera as well as ingress and egress in support of those activities. It is anticipated that the ROELA would commence on December 1, 2017, and terminate on April 30, 2022, or upon completion of work, whichever occurs first. As stated above, the activities allowed under this ROELA would not increase operations above what currently exists at the site.

The following categorical determinations are based on the ROELA 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 Section 15301 (Existing Facilities) and Section 3.a. of the District's *Guidelines for Compliance with CEQA* because the project is an ROELA for the maintenance of an existing security camera, as well as ingress and egress in support of those activities that would involve no expansion of use beyond that previously existing. Section 3.a. of the District's CEQA Guidelines is 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.

The Categorical Exemption listed above is appropriate for the proposed project because it is an ROELA for the maintenance of an existing security camera, as well as ingress and egress in support of those activities that would involve no expansion of use beyond that previously existing. 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, 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.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN

The project site is located in Planning District 10, Imperial Beach Oceanfront, which is delineated on Precise Plan Map Figure 25 of the certified Port Master Plan. The Port Master Plan land use designation within the limits of the proposed project is Commercial Recreation. The project conforms to the certified Port Master Plan because it is an ROELA for the maintenance of an existing security camera, as well as ingress and egress in support of those activities consistent with the existing certified land use designation. The project will not change the use of the site nor will it interrupt or expand the existing conforming use of the site.

CATEGORICAL DETERMINATION

The above project proposes the issuance of an ROELA for the maintenance of an existing security camera, as well as ingress and egress in support of those activities that will involve no expansion of use beyond that previously existing. This project is consistent with the existing certified land use designation and is Categorical Excluded under Section 8.a. of the District's *Coastal Development Permit Regulations*, as follows:


- 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.

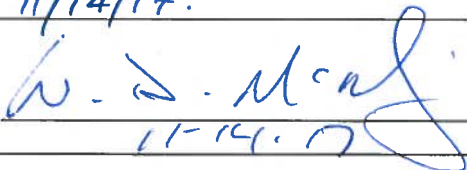
Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

RANDA CONIGLIO
President/CEO

Determination by:
Cameron McLeod
Assistant Planner
Development Services

Deputy General Counsel

Signature: 
Date: 11/14/17.

Signature: 
Date: 11-14-17