

**San Diego Unified Port District**  
**CEQA and COASTAL DETERMINATIONS**  
**and**  
**NOTICE OF APPROVAL**

Project: Right of Entry to Envision Solar for a Solar Powered Electric Vehicle Charging Station  
Location(s): 3165 Pacific Highway, San Diego, CA 92101  
Parcel No.(s): 016-007  
Project No.: 2017-184a  
Applicant: Rachael Stern, Planning and Green Port, San Diego Unified Port District, 3165 Pacific Highway, San Diego, California 92101  
Date: November 14, 2017

Project Description

The proposed project is a Right of Entry Permit (ROE) to Envision Solar International, Inc., a California Corporation (Permittee) and its authorized contractors to enter upon that certain property located at 3165 Pacific Highway in the City of San Diego, California. The area proposed for use under this ROE would be used by the Permittee and its contractor for the purpose of the installation and monitoring of one demonstrative solar powered electric vehicle (EV) charging station from December 4, 2017 to December 8, 2017 at the northern end of the San Diego Unified Port District (District) Administration Building's public parking lot. The EV charging station would be provided to the District by Envision, the solar developer, at no cost. Upon completion of the demonstration period, it is anticipated the District would purchase an EV charging station in December 2017, and deploy the District owned EV charging station at the Administrative Building's public parking lot in January 2018.

The EV charging station would be approximately 14.5 feet tall and would be placed within a 135-square-foot standard vehicle parking space to provide charging capabilities to the space where the station is located, and therefore would result in no net loss of parking. The EV charging station would require approximately one truck trip per day for the delivery of the charging station, and would take approximately one day to assemble. Additionally, the EV charging station is completely solar operated, and would not require electrical hookups or trenching. The EV charging station is also portable and may be relocated to other District facilities throughout tidelands.

From January 2018 to June 2018, the technology, solar production, charging capacity, actual usage, and public perception of the EV charging station would be evaluated. After the first six months, the District would evaluate the need to purchase additional EV charging stations. Prior to the purchase of additional EV charging stations and placement on District tidelands, additional environmental review would need to be completed. Due to its nature and limited scope, construction of the project would generate a minor amount of vehicle trips and would require limited use of installation equipment. Therefore, no impacts would occur. Finally, the applicant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, noise, hazards and hazardous materials, and stormwater.

The ROE is anticipated to commence on December 4, 2017 and terminate January 31, 2018, for a total term of approximately two (2) months, or upon completion of the project, whichever occurs earlier. This Permit may be terminated by District, or by Permittee as a matter of right and without cause at any time upon providing twenty-four (24) hours' written notice 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. The CEQA and Coastal Determinations 2017-184a for the Right of Entry to Envision Solar for a Solar Powered Electric Vehicle Charging Station replaces the CEQA and Coastal Determinations for 2017-184 for Envision: Solar Powered Electric Vehicle Charging Station that was issued on November 14, 2017.

### **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), 15303 (New Construction or Conversion of Small Structures), 15306 (Information Collection), and/or 15311 (Accessory Structures), and Sections 3.a, 3.c.(2), 3.c, 3.f, and/or 3.i of the District's *Guidelines for Compliance with CEQA* because the project is an ROE for the installation and monitoring of an EV charging station at a District facility. Sections 3.a, 3.c.(2), 3.c, 3.f, and 3.i 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.

AND/OR

- 3.c. New Construction or Conversion of Small Structures (SG § 15303) (Class 3): Includes construction of 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:

- (2) Accessory (appurtenant) structures and mechanical equipment including, but not limited to, garages, sheds, railway spur tracks, pilings, temporary trailers, industrial equipment enclosures, fences, parking, on-site roadways, walkways and health and safety devices.

AND/OR

- 3.f. Information Collection (SG § 15306) (Class 6): Includes basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for information gathering purposes, or as part of a study leading to an action which has not yet been approved, adopted, or funded.

AND/OR

3.i Accessory Structures (SG § 15311) (Class 11): Includes construction, or placement of minor structures accessory to (appurtenant to) existing facilities.

The Categorical Exemptions listed above are appropriate for the project because the project is an ROE for the installation and monitoring of an EV charging station at a District facility that would not involve any expansion of use beyond that previously existing, would involve the installation of small new equipment, would not result in a serious or major disturbance to an environmental resource, and would include placement of minor structures accessory to existing facilities. 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 project complies with Section 87 of the Port Act, which allows for the construction, reconstruction, repair, and maintenance of highways, streets, 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 incidental, necessary, or convenient for the promotion and accommodation of any of the uses set forth in this section. 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 is located in Planning District 2, Harbor Island/Lindbergh Field, which is delineated on Precise Plan Map Figure 9. The Port Master Plan land use designation within the limits of the project is Harbor Services. The project conforms to the certified Port Master Plan because the project is an ROE for the installation and monitoring of an EV charging station at a District facility consistent with the existing certified land use designation. 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 above project is an ROE for the installation and monitoring of an EV charging station at a District facility that would involve negligible expansion of use beyond that previously existing, would include installation of small new equipment, and would not result in a serious or major disturbance to an environmental resource. This project is consistent with the existing certified land use designation and is Categorically Excluded under Sections 8.a., 8.c and/or 8.e. 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.

AND/OR

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.

AND/OR


8.e. Information Collection: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major significant disturbance to an environmental resource.

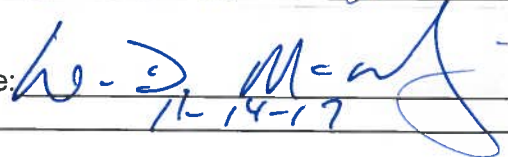
Pursuant to California Coastal Act Section 30717, there is a 10 day working period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

RANDA CONIGLIO  
President/CEO

Determination by:  
Juliette Orozco  
Associate Planner  
Development Services

Deputy General Counsel

Signature:   
Date: 11-14-17

Signature:   
Date: 11-14-17