

San Diego Unified Port District

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

Project: Relocation of a Sprung Structure at the National City Marine Terminal
Location(s): 1309 Bay Marina Drive, National City, CA 91950
Parcel No.(s): 027-003
Project No.: 2017-191
Applicant: Sophie Silvestri, Pasha Automotive Services, 1309 Bay Marina Drive, National City, CA 91950
Date Approved: January 22, 2018

Project Description:

The proposed project involves relocation of an existing temporary sprung structure at the National City Marine Terminal in National City, California. The 80-foot (ft)-long by 120-ft-wide by 30-ft-high structure would be relocated from its current position at berth 24-5 to its proposed location at berth 24-10. The proposed project would not expand the tenants operations or change the use of the site. Work to complete the proposed project would include the following:

- Disassembly of the existing sprung structure at the existing location;
- Relocation of the sprung structure;
- Excavation of an 87-ft-long by 1-ft-wide by 1-ft-deep trench; and
- Erection of the sprung structure in the proposed location.

Construction of the proposed project is anticipated to commence in February 2018 and take approximately five days to complete. Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would require limited use of construction equipment. Finally, the Applicant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

The following categorical determinations are based on the applicant's 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 15304 (Minor Alterations to Land) and 15311 (Accessory Structures) and Sections 3.d. (7) and 3.i. (2) of the District's *Guidelines for Compliance with CEQA* because it is the relocation of an existing sprung structure and associated trenching that would not involve the removal of mature, scenic trees. Sections 3.d. (7) and 3.i. (2) of the District's CEQA Guidelines are as follows:

3.d. Minor Alterations to Land (SG § 15304) (Class 4): Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees, including, but not limited to:

- (7) Minor trenching and backfilling where the surface is restored.

AND/OR

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

- (2) Construction or placement of minor structures or equipment accessory to (appurtenant to) existing airport or marine terminal facilities.

The Categorical Exemptions listed above are appropriate for the proposed project because it is the relocation of an existing sprung structure and associated trenching that would not involve the removal of mature, scenic trees. 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 establishment, improvement, and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. 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 sites are located in Planning District 5, National City Bayfront, which is delineated on Precise Plan Map Figure 15 of the certified Port Master Plan. The Port Master Plan land use designation within the limits of the proposed project is Marine Terminal. The project conforms to the certified Port Master Plan because it is the relocation of an existing sprung structure and associated trenching 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 proposes the relocation of an existing sprung structure and associated trenching. This project is consistent with the existing certified land use designation and is Categorically Excluded under Section 8.c. (3) and 8.d. (6) 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:

- (3) Accessory structures, including, but not limited to, on-premise signs, small parking lots, fences, walkways, swimming pools, miscellaneous work buildings, temporary trailers, small accessory piers, minor mooring facilities, buoys, floats, pilings, or similar structures; and seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar structures.

AND/OR

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:

- (6) Minor trenching or backfilling where the surface is restored.

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

Signature: C. McLeod.
Date: 1/22/2018

Deputy General Counsel

Signature: W.D. McLeod
Date: 1-22-18