

San Diego Unified Port District

CEQA and COASTAL DETERMINATIONS and NOTICE OF APPROVAL

Project: Zephyr Debris Removal Pilot Project
Location(s): District Tidelands
Parcel No.(s): Various
Project No.: 2017-205
Applicant: Phil Leblanc, Planning and Green Port, San Diego Unified Port District, 3165 Pacific Highway, San Diego, California 92101
Date: January 18, 2018

Project Description

The proposed pilot project involves the operation of a trash skimming vessel in San Diego Bay for debris removal for a total of one (1) year. The project is intended to analyze the effectiveness and scalability of the trash skimming vessel and would develop a database for key variables influencing marine debris accumulation in San Diego Bay such as seasons, weather events, and tidal swings.

The trash skimming vessel would be approximately 23 feet in length and would have a custom fabricated "catcher hoop net" system attached to the front of the vessel which would allow for trash to enter into the net and the ability to remove small debris and access to shallow and rough water. Additionally, the vessel would have a side door which would allow for large trash items to be collected. After the trash is collected, the trash skimming vessel would transfer the trash to a trash bin located at a trash collection area at the southern end of Tenth Avenue Marine Terminal. While the catcher hoop net is deployed in the water, the vessel would travel at speeds of up to four miles per hour. Zephyr would conduct trash skimming operations six hours per day, four days per week. While the vessel is not in operations, the vessel would be docked at Tuna Harbor.

The pilot program is anticipated to commence in approximately January/February 2018 and end approximately January 2019, with a total duration one (1) year. A "Blue Economy Agreement" by and between the District and the Zephyr Debris Removal LLC. (Zephyr), is also proposed.

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), (Information Collection), and/or Sections 3.a.(1), and/or 3.f of the District's *Guidelines for Compliance with CEQA* because the project involves maintenance of the waters of San Diego Bay through trash pickup. Sections 3.a.(1) and/or 3.f 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:
 - (1) Repair, maintenance or minor alteration of existing mooring facilities, floats, piers, piles,

wharves, bulkhead, revetment, buoys, or similar structures; marine terminal facilities; airport facilities; and commercial industrial, or recreational facilities.

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.

The Categorical Exemptions listed above are appropriate for the project because the project involves maintenance of the waters of San Diego Bay through trash pickup that would involve negligible expansion of use beyond that previously existing and would not result in a serious or major disturbance to an environmental resource.

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 District has further determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

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 operations 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 project is located in nine of the District's ten planning districts, as follows: Planning District 1, Shelter Island/La Playa, which is delineated on Precise Plan Map Figure 4 of the certified Port Master Plan, Planning District 2 Harbor Island/Lindbergh Field, which is delineated on Precise Plan Map Figure 9 of the certified Port Master Plan, Planning District 3, Centre City Embarcadero, which is delineated on Precise Plan Map Figure 11 of the certified Port Master Plan; Planning District 4, Tenth Avenue Marine Terminal, which is delineated on Precise Plan Map Figure 13 of the certified Port Master Plan; Planning District 5, National City Bayfront, which is delineated on Precise Plan Map Figure 15 of the certified Port Master Plan; Planning District 6, Coronado Bayfront, which is delineated on Precise Plan Map Figure 17 of the certified Port Master Plan; Planning District 7, Chula Vista Bayfront, which is delineated on Precise Plan Map Figure 19 of the certified Port Master Plan; Planning District 8, Silver Strand South, which is delineated on Precise Plan Map Figure 21 of the certified Port Master Plan; and Planning District 9, South Bay Saltlands, which is delineated on Precise Plan Map Figure 23 of the certified Port Master Plan. The Port Master Plan water use designations of the proposed project are Boat Navigation Corridor, Commercial Fishing Berthing, Estuary, Harbor Master Pier/Transient Berthing, Harbor Services, Open Bay, Recreational Boat Berthing, Ship Anchorage, Ship Navigation Corridor, Specialized Berthing, Sport Fishing Berthing, and Terminal Berthing. The project conforms to the certified Port Master Plan because the project involves maintenance of the waters of San Diego Bay through trash pickup consistent with the existing certified water use designation. The project would not change the uses of the sites nor would it interrupt or expand the existing conforming uses of the sites.

CATEGORICAL DETERMINATION

The above project involves maintenance of the waters of San Diego Bay through trash pickup that would involve negligible expansion of use beyond that previously existing and would not result in a serious or major disturbance to an environmental resource. This project is consistent with the existing certified water use designations and is Categorically Excluded under Sections 8.a.(10) 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
 - (10) Repair, maintenance, or minor alteration of existing mooring facilities, floats, piers, bulkhead, revetment, buoys, or similar structures.

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:
Ashley Wright
Senior Planner
Planning Department

Deputy General Counsel

Signature: Ashley Wright
Date: 1-18-18

Signature: W.S. McNeil
Date: 1-16-18