



CEQA and COASTAL DETERMINATIONS  
and  
NOTICE OF APPROVAL

**Project:** Installation of Monitoring Wells and Soil Borings at Pepper Oil Company, Inc. in the City of National City  
**Location(s):** 2300 Tidelands Avenue, National City, CA 91950  
**Parcel No.(s):** 026-011  
**Project No.:** 2019-084  
**Applicant:** Pepper Oil Company, Inc., 2300 Tidelands Ave, National City, CA 91950  
**Date Approved:** May 1, 2019

**PROJECT DESCRIPTION**

The proposed project would involve the installation of monitoring wells and/or soil borings within the Pepper Oil Company leasehold and/or within adjacent property. The purpose of the proposed project is to monitor soil and groundwater per the requirements of a cleanup overseen by the California Department of Toxic Substances Control. The monitoring wells and soil borings would be completed in accordance with County of San Diego Department of Environmental Health permit requirements.

The proposed project would involve the issuance of a Right of Entry License Agreement (ROELA) to the Applicant. The area proposed for use under this ROELA would be used by the Applicant and their authorized agent(s) and contractors(s) to carry out the proposed project, as well as ingress and egress in support of those activities. The ROELA would have a term of approximately five (5) years, or upon completion of the work, whichever occurs earlier.

The monitoring wells, which would be in place for five years or less, would be up to 10 inches in diameter and up to 20 feet deep. A 4-inch polyvinyl chloride pipe would be installed inside the borehole. At the surface, the monitoring wells would be finished with a 3-foot-diameter concrete pad and well box. The soil borings would be up to two inches in diameter and up to 20 feet deep. Soil samples would be collected and analyzed during drilling of the wells and borings. The groundwater samples from the monitoring wells would be collected and analyzed for one or more of the following:

- Total petroleum hydrocarbons
- Volatile organic compounds
- Semi-volatile organic compounds
- Title 22 metals
- Polychlorinated biphenyls
- Pesticides

All soil and groundwater generated during drilling/sampling would be placed in California Department of Transportation-rated 55-gallon drums. The drums would be characterized and profiled into a waste disposal facility permitted to accept the waste.

Construction of the proposed project is anticipated to commence in July 2019 and would continue until the cleanup process is complete. It is anticipated that, at the height of construction, the proposed project would generate up to six vehicle and truck trips per day. Vehicle and truck trips would be associated with deliveries, transport of construction workers, and hauling of soil and groundwater generated during drilling/sampling. Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle and truck trips and would require limited use of construction equipment, such as a utility-type truck with a drill rig. Therefore, no impacts would occur. All disturbed surfaces would be restored to pre-project conditions. Furthermore, the Applicant would be responsible for complying with all applicable federal, state, and local laws regulating construction demolition debris, hazards and hazardous materials, noise, and stormwater.

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.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

### **CATEGORICAL 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), 15304 (Minor Alterations to Land), and/or 15306 (Information Collection) and Sections 3.a (6), 3.d (7), and/or 3.f of the District's *Guidelines for Compliance with CEQA* because it involves the installation, monitoring, and removal of monitoring wells and soils borings that would involve no expansion of use beyond that previously existing, would not involve the removal of mature, scenic trees, and would not result in a serious or major disturbance to an environmental resource. Sections 3.a (6), 3.d (7), and 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 or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:
- (6) Demolition and removal of individual structures listed in the subsection except where the structures are of historical, archaeological, or architectural significance. These include, but are not limited to, commercial, industrial, airport, or marine terminal structures or facilities if designed for an occupancy load of 30 persons or less, and not in conjunction with the demolition of improvements on an entire site. Examples are warehouses, sheds, miscellaneous work buildings, piers, floats, piles, marine ways, electrical, mechanical, or utility systems, railroad improvements, dilapidated vessels, navigation aids, or similar related structures.

AND/OR

- 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.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 proposed project because it involves the installation, monitoring, and removal of monitoring wells and soils borings that would involve no expansion of use beyond that previously existing, would not involve the removal of mature, scenic trees, and would not result in a serious or major disturbance to an environmental resource. In addition, all surfaces disturbed by the proposed project would be restored to pre-project conditions.

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.

## **CALIFORNIA COASTAL ACT**

### **PORT MASTER PLAN CONSISTENCY**

The portions of the project located within the Coastal Development Permit (CDP) jurisdiction of the District 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 these portions of the proposed project is Marine Related Industrial. The portions of the project located within the CDP jurisdiction of the District conform to the certified Port Master Plan

because the project involves the installation, monitoring, and removal of monitoring wells and soils borings 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 installation, monitoring, and removal of monitoring wells and soils borings that would involve no expansion of use beyond that previously existing, would not involve the removal of mature, scenic trees, and would not result in a serious or major significant disturbance to an environmental resource. The portions of the proposed project located within the CDP jurisdiction of the District are consistent with the existing certified land use designations and are Categorically Excluded under Sections 8.a (9), 8.d (6), 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, including but not limited to:

- (9) Demolition and removal of individual small structures, except where structures are of historical, archaeological, or architectural significance.

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.

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.

For the portions of the proposed project located outside of the District's CDP jurisdiction, additional approvals may be required from other agencies. 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.

**CALIFORNIA PUBLIC TRUST DOCTRINE**

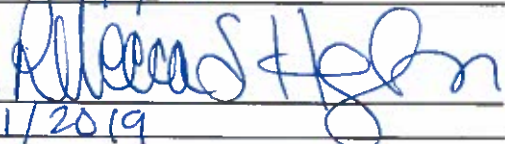
The proposed project complies with Section 87.(a)(2) of the Port Act, which allows for all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

RANDA CONIGLIO  
President/CEO

Determination by:  
Kenneth Sorenson  
Project Review Associate  
Development Services

Deputy General Counsel

Signature:   
Date: 5/1/2019

Signature:   
Date: 5/1/2019