

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

Project: Hazardous Waste Management and Emergency Response Services
Location(s): San Diego, Coronado, National City, Chula Vista, and Imperial Beach, California
Parcel No.(s): Various
Project No.: 2019-165
Applicant: George Liddle, Environmental Protection, Planning and Green Port, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date: September 19, 2019

Project Description

The proposed project is agreements between the San Diego Unified Port District (District) and NRC Environmental Services, Inc., Ocean Blue Environmental Services, Inc., and Patriot Environmental Services, Inc. to provide on-call hazardous waste management and emergency response services. Consulting services are needed to provide hazardous waste management and emergency response services assistance for both tenant-sponsored and District sponsored projects. Routine tasks under the on-call agreements may include but are not limited to: hazardous materials spill clean-up, crime scene clean-up, removal of unforeseen hazardous materials encountered during District projects, the removal of waste, and emergency abatement of contaminants.

The following categorical determinations are based on the draft agreements 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), 15304 (Minor Alterations to Land), 15306 (Information Collection), and/or Sections 3.a, 3.d, and 3.f of the District's Guidelines for Compliance with CEQA because the project involves hazardous waste management and emergency response services that will 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, 3.d, and 3.f of 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.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.

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 because the project involves hazardous waste management and emergency response services 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. 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 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 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 involves hazardous waste management and emergency response services within all ten of the District's planning districts. The project generally conforms with the certified Port Master Plan because it is consistent with and furthers Goals VIII and X of the Port Master Plan. Goal VIII identifies that the District will enhance and maintain the bay as an attractive physical and biological entity. Goal X identifies that the quality of water in San Diego Bay will be maintained at such a level as will permit human water contact activities. Further, activities included under the proposed project would not change the uses of the sites where activities may take place, nor would they interrupt or expand the existing conforming uses of those sites.

CATEGORICAL DETERMINATION

The above project involves hazardous waste management and emergency response services that would involve negligible 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. This project is consistent with the existing certified land and water use designations and is Categorically Excluded under Sections 8.a, 8.d, 8.e, and/or 8.f 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.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;

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;


AND/OR

8.f. Inspections: Activities limited to inspection, checking or performance or quality of an operation, examining the health and safety of a project, or related activities.

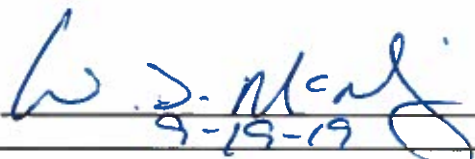
Pursuant to California Coastal Act Section 30717, there is a 10 day working period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

RANDA CONIGLIO
President/CEO

Determination by:
Ashley Wright
Senior Planner
Planning Department

Signature: 
Date: 9-18-19

Deputy General Counsel

Signature: 
Date: 9-19-19