



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

Project: Agreement with Kigt Inc. to Install and Operate Ten Electric Vehicle Charging Stations in the San Diego Convention Center Parking Garage
Location: 111 W. Harbor Drive, San Diego, CA 92101
Parcel No.: 019-046A
Project No.: 2020-0108
Applicant: KIGT, Inc., 3155-A East Sedona Court, Ontario, CA 91764
Date Approved: Feb 23, 2022

PROJECT DESCRIPTION

The proposed project would involve an amendment to an agreement to install and operate ten wall mounted electric vehicle (EV) charging stations in the San Diego Convention Center parking garage. The initial agreement was approved by the Board of Port Commissioners (BPC) on October 6, 2020 for a term of five (5) years with the option for two 1-year renewals. The initial agreement included eight (8) total EV charging stations, and the amendment to that agreement would increase the number of EV charging stations to 10. The EV charging stations would be located within the underground garage adjacent to the 5th Avenue entrance, near the southeast end of level P1 and replace older technology previously installed but already removed from the site. Each proposed EV charging station has dimensions of 4.13"x5.75"x2.24" and energy specifications of Level 2, 220V, 30 AMP, and 6.6 kW. Two (2) of the 10 EV charging stations would be new ADA parking stalls.

Installation of the 10 EV charging stations would occur upon receipt of permits issued by the City of San Diego and be completed within two weeks by two to three workers. Installation activities involve attaching the units to the wall and running wires through the existing conduit to the power supply. There will be no trenching because all wires are external. The units would be in operation in mid-2022.

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

Categorical Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; and SG §15302, Class 2/Section 3.b: Replacement or Reconstruction

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:

- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

AND/OR

3.b. Replacement or Reconstruction (SG § 15302) (Class 2): Includes replacement or reconstruction of existing structures and facilities, such as electrical and mechanical systems and equipment, where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Sections of the District's *Guidelines for Compliance with CEQA* as identified above. These are appropriate for the proposed project because the units are replacing previously installed EV charging stations with newer technology and will connect to an existing conduit. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project because the

proposed site is an existing underground parking garage that is not a particularly sensitive environment or a hazardous waste site; and the proposed project would not result in damage to scenic resources, would not cause a substantial adverse change in the significance of a historical resource, would not create a significant cumulative impact, and finally, would not have a significant effect on the environment due to unusual circumstances (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.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN CONSISTENCY

Planning District: 3 - Centre City Embarcadero (Precise Plan Figure 11).

Land Use Designation: Commercial Recreation.

The proposed project conforms to the certified Port Master Plan because the convention center is specifically identified as a use within Commercial Recreation, the existing certified land use designation, and EV charging stations within the convention center's parking garage support sustainable access to the site. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming uses of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; and Section 8.b: Replacement or Reconstruction

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:

- (2) Public and private utilities used to provide electric power, natural gas, sewer, or other utility services

AND/OR

8.b. Replacement or Reconstruction: Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because it would involve no expansion of use beyond that previously existing since the units are replacing former EV charging stations with newer technology.

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 visitor-serving 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.

JOE STUYVESANT
President/CEO

Determination by:

Lily Tsukayama
Senior Planner
Planning Department

Signature: Lily Tsukayama
Date: Feb 23, 2022

Deputy General Counsel

Signature: Chris Burt
Date: Feb 23, 2022

Certificate Of Completion

Envelope Id: 2E82EAA3D58D4D23B40B022A0F3C0475	Status: Sent
Subject: 2020-0108A Kigt Inc. EV Charging Station Agreement at SDCC	
Source Envelope:	
Document Pages: 3	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Lillian Mattes
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	3165 Pacific Highway
	San Diego, CA 92101
	lmattes@portofsandiego.org
	IP Address: 207.215.153.162


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Chris Burt cburt@portofsandiego.org Security Level: Email, Account Authentication (None)		Sent: 2/23/2022 12:15:02 PM Viewed: 2/23/2022 1:27:13 PM Signed: 2/23/2022 1:27:20 PM
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Electronic Record and Signature Disclosure:
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 ID: 4f435d72-6d3a-4fbe-948f-f40697e092e2
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Lily Tsukayama ltsukayama@portofsandiego.org Security Level: Email, Account Authentication (None)		Sent: 2/23/2022 1:27:21 PM Viewed: 2/23/2022 1:41:06 PM Signed: 2/23/2022 1:41:14 PM
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Electronic Record and Signature Disclosure:
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 ID: 94235573-6963-413a-93b1-7d02ece052db
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
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<p>OGCincomingdocs OGCincomingdocs@portofsandiego.org Security Level: Email, Account Authentication (None)</p> <p>Electronic Record and Signature Disclosure: Accepted: 6/1/2021 3:03:48 PM ID: c5b3a08a-1177-4ef5-bd56-d40f4708f984 Company Name: San Diego Unified Port District</p>	COPIED	Sent: 2/23/2022 12:15:02 PM

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Witness Events	Signature	Timestamp
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